The Nation.

NEW YORK, THURSDAY, APRIL 29, 1886.

The Week.

THE investigation of the "labor troubles" in the Southwest by the House Committee, which has just opened, promises to prove a curious sort of a performance. Nothing practical can come of the hearings (which the Chairman of the Committee says are likely to continue for two months), except in one way, and that is distinctly mischievous. The followers of Martin Irons hailed the proposition for a Congressional investigation as likely in some way to help them to a "victory" over the railroads, and the Knights of Labor took fresh courage for their hopeless fight as soon as they heard about it. The course which the inquiry is taking seems likely to strengthen this unfounded impression that Congress can help them out. Take, for instance, these passages from the examination of Powderly:

"Mr. Burnes, a member of the Committee—I would suggest, further, that it may be well to consider what, in your judgment, can be constitutionally done, and what might be done and ought to be done by amendments to the Constitution.

"Mr. Powderly—I shall do so, and I thank you for the suggestion.

"Mr. Buchanan, another member of the Committee—You promised to furnish the Committee with some views as to the legislative remedy for troubles of the kind now existing. Will you also, in considering that question, take into view the complex nature of this Government, and the divided responsibility between Federal and State legislation, so as to make your suggestions such as the national legislature can duly act upon?

"Mr. Powderly—I will do so."

As a bit of opéra bouffe in public affairs, this suggestion that Mr. Powderly shall institute changes in the Constitution under which this nation has existed for a century, is diverting enough, certainly. But when one reflects that this proposed Constitution-maker is a man who has been inciting to riot as truly as Martin Irons, if in more guarded terms, and that such an invitation to such a man from a member of a Congressional committee must strengthen the impression of ignorant strikers that this inciter of riot is a personage fit to be trusted with changes in the fundamental law of the United States, and even capable of making them, the matter loses its humorous aspect, and appears in its true light as a very serious encouragement by Congress of wrong notions in the conception of American liberty.

The address of Mr. P. M. Arthur at the meeting of the Locomotive Brotherhood is the mature judgment, not of a single individual, but of a great labor organization, which has been through the riot period of its existence and come out wiser and better men. The locomotive engineers have learned that the laws of the land and of all civilized lands are based upon the sum of human experience, which tells us that every attempt to curtail men's rights to earn their bread how and as they please (not infringing upon the equal rights of others) is an act of base and short-lived tyranny. This is the true gospel of labor as proclaimed by Mr. Arthur, but it is perhaps too much to hope that the society of which Mr. Powderly is the head will ever learn it except by their own experience and their own suffering. The tendency of modern industry, of the sober and humane and orderly kind which Mr. Arthur advocates, is everywhere giving to labor a larger and to capital a smaller share of the joint product of capital and labor. This is denied by philosophers of the Henry George school and by some of our college professors, who choose to ignore the number of laborers at different periods of the world's history, and take only the rate of wages per capita into their calculations. The truth is, that the rate of wages per capita is increasing as well as the proportion which labor gets as a whole, while the rate of profits is steadily diminishing in all countries, and nowhere is this course of events more marked and decided than in this country. Boycotts and causeless strikes and eight-hour movements and protective tariffs are the only present obstacles to this wholesome progress and tendency.

The movement to make eight hours a day's labor is just now very active—indeed, there has been talk of concerted action among the Knights of Labor for its enforcement on the first of May. There is an idea among some of the men—very few, we suspect—that as much work would be done in eight hours as in ten. What animates the bulk of the eight-hour advocates is the belief that while less work would be done in eight hours than in ten, the pay would remain the same, and employment would be furnished to large numbers who now have nothing to do. We see no objection in the world to the experiment being tried, if it be tried on the American basis of individual liberty—that is, if individual choice be allowed to determine in every case whether a man shall work eight hours or ten, and the employer be allowed to choose between the eight-hour men and the ten-hour men. To make it work satisfactorily, however, each man ought to be paid by the hour, and then both classes could work in the same factory or shop. But the important question for the public is *how* the experiment is to be tried. If it is to be carried out on the compulsory principle—that is, if the eight-hour men are all to provide themselves, like savages, with stones, bricks, clubs, and knives with which to kill or maim the ten-hour men, and if people who employ ten-hour men are to be boycotted, and their premises infested by hooting, howling mobs, and their machinery damaged, and their butchers and bakers warned off—then the American people will make short work of it somehow.

Mr. Edward Atkinson shows, in the last number of *Bradstreet's*, that in each 1,000 workers in the United States, only 100 are engaged in occupations upon whom an eight-hour law could be enforced, and that consequently the passage of such a law would simply operate to depress the trades upon which it could be enforced, relatively to all other trades. In the first place, agricultural labor, cattle and sheep growing, horticulture and fishing, could not be subjected to an eight-hour law, and if they could be it would ruin them. Blast furnaces, gas works, bakeries, restaurants, and all other employments requiring continuous heat could not be subjected to the eight-hour rule without instant destruction. Paper mills require continuous operation. So also do railroads. Then there are the great multitude of employments that the officers of the law can never reach, or know anything about, the people who work at home, such as seamstresses, washerwomen, carpenters, blacksmiths—in short, everybody who is his own employer. The only trades that could be reached are those in which large numbers of workers are collected together for the purpose of attending machinery, such as cotton and woollen mills, rolling mills, boot and shoe factories, and the like. These number not more than one in ten of the people of the United States who work with their hands. As to these Mr. Atkinson says, with his usual penetration:

"If the advocates of an eight-hour law should get it passed, the first efforts of the same men who had promoted it would be to find out how to work overtime to the best advantage in order to gain a better subsistence. The logical result of all such acts by which the free conduct of adults is restricted in certain specific cases is to limit the full use and benefit of labor-saving machinery, and thus to lengthen the necessary hours of work of the great mass of the people."

It is said that a majority of the Committee who have been investigating the telephone scandal will report in favor of exonerating all the Government officials from any improper connection with the Pan-Electric Telephone Company. It is also stated that the Republican members of the Committee will find that the Attorney-General was entirely honest in his relations to the matter, but allowed himself to be used by persons who were seeking to obtain the right to use the name of the Government for their own purposes. If the Republican members do find like this, they will be putting the worst construction possible upon the matter. There has been nothing in the testimony taken by the Committee to justify the assertion that the Attorney-General allowed himself to be "used." He refused to have anything to do with the proposal for a suit against the Bell people, and he has sworn that the consent to bring that suit which was subsequently granted, first by the Solicitor-General, and afterward by Secretary Lamar, was given without his knowledge, advice, or approval. If he had not been a holder of Pan-Electric stock, there would never have been any ground for impeaching his conduct in the case, and if he had rid himself of that at the outset, there would never have been any scandal.

A more unblushing argument in favor of the log-rolling system of legislation, as exemplified in the river and harbor steal, was never made than has just been submitted to the House by the Judiciary Committee in its adverse report upon the proposition for a constitutional amendment, giving the President power to veto separate items in an appropriation bill while

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approving the remainder. The theory upon which the river and harbor steal is based is, that A will vote for B's appropriation on condition that B will vote for A's, and so on through the list. The theory of the Constitution, on the other hand, is, that Congress will consider every appropriation upon its merits; give A what he asks if he ought to have it without regard to B, or refuse what both A and B ask if neither ought to have it. Indeed, the theory of the Constitution would present every question of appropriation upon its merits, and it is only for the sake of convenience that the aggregation of a number in a single bill can be justified. To give the President the power of vetoing a separate item in a bill, without defeating all the others, simply restores the system of law-making to a constitutional basis, since, if time permitted, every item would be submitted to him in a separate bill. To talk about any danger of aggrandizing the Executive in such a restoration of the theory of the Constitution—and of common sense—is absurd in itself, and becomes ridiculous when one reflects that a similar power was conferred years ago upon the Governors of States like New York and Pennsylvania, which have a larger population than the whole Union had when Washington was inaugurated, and has been exercised by Governors of both parties in those States greatly to the public advantage. The river and harbor jobbers may be able to delay the application of the same system to the Federal Government, but it is a reform which is bound to come sooner or later.

There are a number of rich nobodies in the State of Vermont whose aspirations toward the Senate of the United States have been frustrated and brought to naught these many years by Senator Edmunds, who is somebody. Not that Senator Edmunds has ever taken any pains or made any exertions to get himself elected instead of them. On the contrary, he is almost the only member of either party now in the Senate who preserves the tradition that scheming and "electioneering" for that high office are unbecoming, and it may be set down as certain that he will not now or ever lift his finger or say a word to secure a single vote as against any other candidate in his party. The opposition to Mr. Edmunds is based solely on the ground that he did not actively support Blaine in the last campaign. He had entertained and expressed, privately but frequently, before the Convention met, opinions concerning Mr. Blaine's public record absolutely disabling any self-respecting Senator from afterwards publicly advocating his election to the Presidency. He voted the Republican electoral ticket in his State, which he might do with propriety as deeming the success of the Democratic party the greater of two evils; but when asked to go on the stump and tell a lot of lies he flatly refused. This refusal has greatly encouraged the rich nobodies in their endeavors to supplant him in the Senate, and they are "working it for all it is worth." One of their queer charges is that the Edmunds resolution calling for the papers] [regarding removals from office is a sign of purely spasmodic activity, intended to divert public attention from his "treachery" in 1884. An impartial observer, or careful student, like the man from the moon, would say that anything calculated to divert attention from the campaign of 1884 ought to be welcomed by the Republican party without distinction of color or previous condition of servitude, and that Senator Edmunds's diversion of public attention from Republican blunders to Democratic ones was the greatest possible party service.

Mr. Edward Cary is perhaps inspired by something else than the pleasures of memory to write an article in the current number of the *Forum*, under the interrogative title, "Would We Do It Again?" The question is whether the Independents would support Cleveland as against Blaine for President of the United States, with our present experience, if a new election were to take place now. Mr. Cary answers it for nobody but himself, but gives with his customary clearness and frankness the reasons why he would do so. These are, that the tone of governing circles has been improved since Mr. Cleveland came into office, and this notwithstanding the fact that the tone of the Republican party rank and file is normally higher than that of the Democratic party. What sort of change would have followed if Mr. Blaine had been the successor of President Arthur, can only be inferred from what we know of Mr. Blaine's career as Speaker of the House, from his personal eagerness to make money, from the wild South American adventures that he set on foot during his brief term as Secretary of State, and from his systematic fanning of the flame of Irish hostility to England. The policy of President Cleveland has been the reverse of everything that made Blaine a dangerous candidate. He has had no meddlesome foreign policy to exploit. He has cultivated peace with all the world. He has honestly sought to reform abuses in administration, and if he has not succeeded in all respects, or to the extent that might be desired, he has set a good example, and has driven a stake for civil-service reform that cannot be pulled up. The Treasury Department has made "a splendid record" under Mr. Manning, and a revolution has been effected, so silent that it has hardly been noticed, in "the disappearance of the Southern question as a controlling issue in national politics." For these reasons Mr. Cary thinks that "we would do it again," and would do it with even more relish and spirit than before. The unexpressed thought in the article is that we may have to do it again. The "Blaine crowd" are determined to "run" their man in 1888.

The introduction by a Republican Senator of a bill to repeal that section of the Revised Statutes which debars ex-Confederates from holding commissions in the Federal army, may be regarded as the burial of the bloody shirt. Mr. Riddleberger's proposition is sure to receive the support of his fellow-Republican from Virginia, Mahone; and two other Republicans, Cameron of Pennsylvania and Jones of Nevada, voted for a similar measure a fortnight ago. These four Republican votes, with those of the Democrats, insure its passage through the upper branch of Congress, and the lower branch will of course concur. Riddleberger and Mahone have done the country small service, but if they succeed in thus disposing of the bloody shirt, their career in the Senate will not have been altogether profitless.

The Blair bill may now be considered dead. The measure which passed the Senate about two months ago has since lain on the shelf in the Education Committee of the House, which considered the scheme so vicious that it felt justified in thus smothering it in committee. The Labor Committee, which Representative Willis a month ago picked out as certain to make a favorable report without delay upon a bill identical with the original measure, no sooner began to investigate the matter than it also decided the project to be utterly unjustifiable, and on Monday, after four weeks' consideration, only three out of thirteen members were found to favor its passage. In order to get rid of the subject, a majority voted to report back a substitute which proposes to devote the income from the sale of public lands to school purposes during the next ten years, but neither the Committee nor anybody else expects to see this scheme pass the House, to say nothing of the Senate and the President. Now that the scheme is dead, it only remains to bury it, and representative men in the South are lending a hand. A letter from the venerable John B. Minor, the distinguished Professor of Law in the University of Virginia, says:

> "I take much interest in the Blair bill, *very earnestly desiring its defeat:* first, because I think it a very dangerous infraction of the Constitution; and second, because communities, like individuals, are always enfeebled by having done for them what they can, and ought to, do for themselves. I can only bestow upon this scheme my heartiest malediction, and indulge the anxious hope that it will never again present itself in either house of Congress."

The resignation by Mr. H. T. Sperry, editor of the Hartford (Conn.) *Evening Post*, of the office of Insurance Commissioner in his State has been brought about by the pressure of public opinion, in view of his use of his official position to secure advertisements from insurance companies for a publication in which he is interested. Mr. Sperry's course as a civil servant of the State is interesting because his newspaper has long and constantly sneered at all the attempts that have been made to reform the civil service of the country. In his view, competitive examinations are a snare and a delusion, whose only effect is to embarrass political managers, and victories at the polls mean opportunities to get official salaries. It is well to call Mr. Sperry's attention to the fact that one thing which a reformed civil service is expected to secure is the impossibility of giving offices to men like him, who have already been found wanting in such positions, and whose only claim to them is their political services. Under President Arthur this Mr. Sperry was appointed Inspector of Stamped Envelopes for the Hartford district, at a salary of $2,500. He naturally looked on the position as a sinecure, and the result some months later was a report to the Post-office Department that Mr. Sperry "had either failed to comprehend his instructions and the object of

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his appointment, or had wilfully disregarded them." Mr. Sperry will do well to withdraw from office-seeking for a time, and devote himself to instructing his readers on the subject of government reform.

Some light is thrown upon the wool tariff in the report of the Massachusetts Labor Bureau for the present year. This report contains a valuable chapter on "Profit Sharing," embracing a brief narrative of each experiment made in the United States on any considerable scale to enable workingmen to participate in the profits of manufacturing industry. One of the most methodical of these experiments is that of the Peace Dale Manufacturing Company of Rhode Island. The Peace Dale Company is one of the oldest in New England, the works having been begun in the year 1804, and having been continuously in operation since that time, under the direction of the Hazard family. The longevity of the company is itself ample proof of the skill and business capacity of the management. Very few manufacturing houses in this country can trace their lineage backward through the vicissitudes of eighty-one years. The company employs 450 operatives, two-thirds of them being of foreign birth. In the year 1878 Mr. Rowland G. Hazard decided to offer the employees a share in the profits of the company as an inducement to greater economy and efficiency of service, on certain terms which need not be now set forth. The basis was satisfactory to the employees, but the pecuniary results have been disappointing. Dividends have been made during but four of the eight years that the system has been in operation, the largest sum divided among the employees in any year being $5,999 65. No dividend was declared in 1884 or 1885.

The Peace Dale works are noted for the carefulness of the management, while the system of profit sharing has introduced and enforced very painstaking and economical habits among the employees. Yet, with all these conditions in favor of successful industry, the Peace Dale Company is barely able to keep its looms in motion, and we know from the frequent and extremely cogent essays published from time to time by Mr. Hazard, that the reason why his branch of trade is throttled and manacled, and why his laborers are prevented from gaining any perceptible advantage from the participation in profits voluntarily offered to them, is that a tax is levied upon their raw material (wool) ranging from 65 to 113 per cent. Is it not time for woollen operatives in this country to have something to say about a tariff which yields such disastrous results? A protest against the wool tariff was recently filed with the Committee of Ways and Means by a delegation of workingmen from Philadelphia. The suffering which has been endured by operatives in this branch of industry, resulting entirely from the mediæval tax on wool, is deepening every year. It will not be endured much longer. So far as repealing this particular duty is concerned, the Free-Trade League might close their rooms, draw down their curtains, and turn their work over to the manufacturers and their operatives to carry on the fight.

Every day casts fresh light upon the tyranny which would be established in this country if secret, oath-bound organizations like the Knights of Labor were permitted to have their way. It appears that they have already reached the point where they assume to dictate what newspaper a person shall read, and threaten to ruin his business if he does not comply with their dictation. Mrs. Vonderbrake is a widow who lives in New Haven and has a modest shop—a quiet and peaceable person of excellent character. For a number of years she has taken the *Journal and Courier* as the daily paper which she preferred. The *Journal and Courier* was recently put under a boycott because it would not employ Union printers, the boycotters threatening to destroy the property unless the owners would yield. The way in which they are trying to carry out this threat is shown by the following letter:

"NEW HAVEN, April 19, 1886.

"*Mrs. Vonderbrake:*

"MADAM: It will be for your interest to stop your subscription to the *Journal and Courier* immediately, as that paper has been boycotted. Your customers will not patronize you while you take that paper.

"FROM COMMITTEE OF YOUR CUSTOMERS."

We are glad to say that Mrs. Vonderbrake contemptuously refuses to obey this order.

The arrest of thirty boycotters on Tuesday, in accordance with indictments by the Grand Jury, is likely to have a quieting effect upon all that class of law-breakers. There is good reason for believing that other indictments are to follow these, including some for the members of the Empire Protective Association who ordered the recent tie-up. The trial and conviction of a few of these professional meddlers and boycotters would do more to break up the boycotting business than almost anything else. It would show its advocates that this is, after all, a country of law and order—a truth which many of them have not yet been able to grasp. There is a great deal of nonsense talked about the boycott being a foreign importation, while the truth is that in no well-governed foreign country would it be allowed for a single day. It originated in Ireland, and to a certain extent is still practised there, but Ireland is not a country of law and order.

There were five very brutal assaults committed on employees of the Third Avenue Railroad Company. The Union says, of course, that they were committed by wicked outsiders, and it sent out "pickets" to see if they could catch any of the offenders. Singularly enough, they found none. But as a proof of their horror of violence, the strikers offered to police the avenue themselves, but, strange to say, their offer was not accepted. Their state of mind seems on the whole to grow more childish every day. Their last plan for defeating the company is to run a line of opposition stages to Harlem, which seems to please some of them very much. They apparently spend such time as is not passed in "picket" duty in a hall drinking beer, singing songs, and making boastful speeches, and living on the money of other people. This is a very odd phenomenon when one considers that it is all due to the belief of some thousands of poor men that the driving or conducting of a street car is a life office, or what the lawyers call an incorporeal hereditament, which it is not only robbery to take away from a man without his consent, but even to fill with some one else when he refuses to perform the duties, and the wages of which he and some of his friends are entitled to fix. Of course this sounds like very funny doctrine, but consider how much the loose talk of politicians and philanthropists has done to fix it in the ignorant man's mind as a sort of axiom. The sugar laborers who have been rioting over in Brooklyn all think they have a right to be hired by Havemeyer as long as they are able to work, on their own terms, and no wonder, when we consider how much vague rhetoric they hear about the "greed" and "tyranny" of capital—terms which no wise man should ever use now without strictly defining them, in view of the ignorance and passion of the audiences which catch them up.

The Louisville *Courier-Journal* alleges that the *Nation* "abuses roundly the striking laborers of certain railroads of New York, because they not only choose to quit work, but also presume to air their grievances too publicly." It is things of this kind which have often made us doubt whether any man should take up the profession of "journalism" before he was thirty-five years of age, and had his character thoroughly formed, and the habit of truth-telling firmly fixed. The man who wrote the above of course knew he was lying when he wrote it, but he probably writes so many such lies every week that his conscience takes no note of them, and he is just as happy and comfortable as if his occupation were that of a city missionary or a teacher of the blind.

The communication which the Superintendent of Prisons, Mr. Baker, has sent to the Assembly is a very unpleasant document for the temporizing statesmen who make up the majority of the Legislature to contemplate. Mr. Baker tells them that the $800,000 already appropriated for labor in the prisons will not be sufficient to keep the State-account system in operation till the end of the fiscal year, September 30, 1886; that $300,000 more is necessary in the two prisons where this system is in use; that after that date there will be no funds whatever for continuing the work; that in Auburn prison 500 convicts have been idle for months; that after November 30 there will be 130 idle men in Sing Sing, and that after February 28 next this number of idle men in the same prison will be increased to 900 through the expiration of existing contracts. In other words, the taxpayers of the State are now supporting part of the convicts in idleness, after September 30 they will be called upon to support a still larger number, and by the first of March next they will have the whole number thrown upon them—and this because the Legislature, in obedience to the clamor of professional labor agitators, has abolished the contract system of labor, which was not only more than self-supporting, but was beneficial to prison morality and discipline; and has refused, in obedience to the same clamor, to authorize the use of any other system in its place. The Legislature shrinks from voting the heavy appropriation which will be necessary for the support of the convicts, but vote it must.

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SUMMARY OF THE WEEK'S NEWS.

[WEDNESDAY, April 21, to TUESDAY, April 27, 1886, inclusive.]

DOMESTIC.

PRESIDENT CLEVELAND on Thursday sent to Congress a message on the labor troubles, in which he said: "In my opinion the proper theory upon which to proceed is that of voluntary arbitration as the means of settling these difficulties. But I suggest that instead of arbitrators chosen in the heat of conflicting claims, and after each dispute shall arise, there be created a Commission of Labor, consisting of three members, who shall be regular officers of the Government, charged among other duties with the consideration and settlement, when possible, of all controversies between labor and capital. A commission thus organized would have the advantage of being an able body, and its members, as they gained experience, would constantly improve in their ability to deal intelligently and usefully with the questions which might be submitted to them. If arbitrators are chosen for temporary service as each case of dispute arises, experience and familiarity with much that is involved in the question will be lacking, extreme partisanship and bias will be the qualifications sought on either side, and frequent complaints of unfairness and partiality will be inevitable. The imposition upon a Federal court of a duty foreign to the judicial function, as the selection of an arbitrator in such cases, is at least of doubtful propriety. The establishment by Federal authority of such a bureau would be a just and sensible recognition of the value of labor, and of its right to be represented in the departments of the Government. If such a commission were fairly organized, the risk of a loss of popular support and sympathy resulting from a refusal to submit to so peaceful an instrumentality would constrain both parties to such disputes to invoke its interference and abide by its decisions. There would also be good reason to hope that the very existence of such an agency would invite application to it for advice and counsel, frequently resulting in the avoidance of contention and misunderstanding. The commission which I suggest could easily be engrafted upon the labor bureau already organized, by the addition of two more commissioners, and by supplementing the duties now imposed upon it, by such other powers and functions as would permit the Commissioners to act as arbitrators when necessary between labor and capital, under such limitations and upon such occasions as should be deemed proper and useful. Power should also be distinctly conferred upon this bureau to investigate the causes of all disputes as they occur, whether submitted for arbitration or not, so that information may always be at hand to aid legislation on the subject when necesssary and desirable."

The message was on Friday referred by the House of Representatives to the Committee on Labor, with instructions to report upon it on or before May 15. A bill in accordance with its recommendations was introduced in the House on Monday.

The House Committee on Labor, of which Mr. O'Neill is Chairman, held a session on Friday. Representative Reagan, of Texas, made an eloquent address on the Education Bill. He opposed it because it was unconstitutional and inexpedient. Its effect would be to make the States mendicants, to come with craving hands to the Treasury of the United States, and to bow obsequiously before the Secretary of the Interior and the Superintendent of Education for instructions as to how they should manage their common schools. The State of Texas did not want the bill.

The Blair bill may now be considered dead for this session. The measure introduced by Representative Willis a month ago, which is identical with the original measure, was defeated in the Labor Committee on Monday evening, by a vote of 3 to 1. At the adjourned meeting at five o'clock the bill introduced recently by Mr. Crain, of Texas, was amended and adopted as a substitute for the other bill by a vote of 10 to 3. The Crain bill, as amended, provides for the appropriation of the proceeds of the sales of public lands not to exceed $7,500,000 annually for ten years in aid of education in the States. Industrial and manual-labor training schools are to be entitled to a part of the benefits of the donation which the bill practically makes to the States, as the fund is to be applied wholly under the direction of State authority. The distribution of the money among the States is to be made upon the basis of school population. The Committee on Education also held a meeting on Monday, and agreed to report the original Blair bill to the House without recommendation; but before adjournment that vote was reconsidered and the matter went over.

An adverse report was presented by the House Judiciary Committee on Thursday on a joint resolution proposing a constitutional amendment giving the President power to veto specific items in appropriation bills.

The Senate Finance Committee has backed down from the position it took in opposition to the confirmation of Colonel D. W. Bradley, nominated to be Collector of Internal Revenue for the district of South Carolina, and has submitted a favorable report thereon. Colonel Bradley's nomination has been pending before the Committee for several months, and many charges against him were made by his Republican predecessor and the latter's friends. This was one of the noted "test cases," the Secretary of the Treasury having refused to furnish the papers in the case. On Wednesday the Senate, in spite of the strenuous opposition of Mr. Edmunds, confirmed Mr. Bradley. Only fourteen Senators voted nay.

The Senate Committee on Public Lands has unanimously voted to report adversely upon the nomination of R. S. Dement to be Surveyor-General of Utah.

A decision was rendered in Salt Lake City on Wednesday in the noted Territorial office cases, which Governor Murray and the Utah Legislature split upon, the former declaring invalid the Territorial law which puts agents of the Church in the offices of Auditor and Treasurer, and the latter refusing to yield the incumbency, thus ignoring the Governor's nominations and his appeal to the organic act. Judge Zane sustains the Governor in every point, maintaining the supremacy of the national statutes and ousting the old incumbents.

The United States District Court at Key West, Fla., has declared the steamer *City of Mexico* forfeited to the United States, because of the filibustering enterprise on which it sailed.

The greatest excitement prevailed in Fort Pierre, Dakota, on Sunday, over the following order, which was served on all the residents of the village: "In accordance with the instructions of the honorable Commissioner of Indian Affairs, dated April 8, 1886, you are directed to at once close your trading establishments on the reservation, and upon date of receipt of this you are allowed thirty days to leave the said reservation." Fort Pierre has a population of over 800 people, who have resided on that tract of land for the past ten years. Substantial business houses and dwellings have been erected, and to enforce this order would entail a loss of over $500,000. The settlers have decided not to move unless at the point of the bayonet.

Mr. Powderly told the Congressional Committee on Wednesday that the Knights of Labor number only 500,000, not several millions. He also said that he had not worked at his trade since March, 1877.

There was a meeting in St. Louis on Wednesday of prominent men who determined to boycott the boycott. This is but another branch of the order known as the Law and Order League, which has sprung into existence lately throughout the Southwest. Its principal objects are to assist the authorities in maintaining the law, and to support all persons who have been boycotted by the Knights of Labor or kindred organizations. If a person threatened with a boycott shows the white feather, the Law and Order League will have no dealings with him, but it will do all in its power to assist those who refuse to follow the instructions of the Knights of Labor or trades unionists against their own sense of right.

All the striking switchmen in the Lake Shore yards at Chicago went back to work on Friday afternoon, an agreement having been reached with the railroad company. It is alleged that the only concession made by the latter was that the eight non-union men who were the cause of the strike should in time be employed elsewhere. This is denied by the company.

The Third Avenue Horse-Car Company in this city still holds out against the strikers, and is gradually filling up with new men. More than seventy cars are running.

The boycott against Mrs. Gray, the baker of this city, has completely failed. She now has a larger business than ever before.

Mrs. Landgraf, the Bohemian baker, who has also been boycotted, is now doing a large business, and has received more than $500 from sympathizers. She will prosecute the boycotters.

There was rioting among the strikers of sugar works at Greenpoint, L. I., on Thursday. The police interfered. About thirty shots were exchanged and a number of people were injured.

Thirty-four men were arrested in this city on Tuesday, charged with conspiracy and coercion in carrying on the boycott against the tailoring firm of Cavanagh, Sanford & Co.

The New York Assembly on Wednesday passed the bills to repeal the Broadway Railroad charter and wind up its affairs.

Janeway & Co., of New Brunswick, N. J., have been awarded $179,000 damages in their suit against the Pennsylvania Railroad in the Federal Court at Trenton, N. J. The suit was a result of the collision at New Brunswick on the morning of February 7, 1885, of an oil and a freight train. The oil took fire, and a blazing stream swept down the neighboring streets. In its course it set fire to Janeway's extensive wall-paper factory, which was burned to the ground.

Solomon L. Withey, U. S. Judge for the Western District of Michigan, is dead.

Father A. J. Ryan, known as the poet-priest of the South, died in Louisville on Thursday night. He was forty-six years of age. During the war he was with the Confederate army as chaplain, and has since written much about the "lost cause." A volume of his poetry has had a large sale in the South.

FOREIGN.

An ultimatum was despatched to Greece on Wednesday night, intimating that the Powers were in perfect accord in fixing a limit to the time within which Greece must disarm, and that otherwise serious steps would be taken to enforce their demands. The Greek Prime Minister denies that the Greek Consul has been fomenting a rebellion in Crete.

A despatch from Athens on Thursday said: "On Tuesday night the Turkish advanced posts attempted to surprise the Greeks who had been engaged on the previous day in erecting earthworks within what is alleged to be the neutral line. Their effort, however, was not successful, they being smartly repulsed by the Greeks, who pursued the Turks and captured two of their guns. The Greeks then occupied three positions within Turkish territory, which the Greek Government has ordered them to evacuate."

France refused to join the Powers in coercing Greece, but sent her Government a letter advising peace. On Monday it was announced that Greece had yielded to this advice and would disarm at once.

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Notwithstanding the report of peace, it became known late on Monday that Greece's reply to the Powers was regarded as unsatisfactory. A conference of the foreign Ministers was held at the Italian Embassy in Athens for the purpose of drawing up and signing an ultimatum, holding Greece answerable for the consequences unless she deferred without reserve to the wishes of Europe. This ultimatum was immediately presented to Greece. As a result it was announced from Athens on Tuesday that a royal decree had been issued disbanding the reserve forces.

The Irish Land-Purchase Bill, which the House of Commons on April 16 gave Mr. Gladstone permission to introduce, was issued on Thursday. It covers twenty-six pages. The bill is divided into five parts. There are fifty-three clauses and four schedules. The bill provides that a landlord who desires to sell his property shall apply to the State authority, who shall refer the application to a Land Commission, which, after making an inquiry, shall fix a price at which the property shall be sold, unless the landlord and the State authority have previously come to an agreement. If the landlord objects to the price fixed by the Commission, he may withdraw his application on paying the costs. When a sale of property has been effected, the Commission shall pay the creditors before making any other distribution of the purchase money. Certain rent charges may be bought outright by the State authority, or payment may be continued from the tenants' repayments. In cases of property whereon there is reasonable cause to suppose that valuable minerals exist, the Commission shall add to the purchase money a fair sum therefor, and the minerals realized from said property shall be vested in the State authority, or such local body as the Irish Legislature may provide. The Irish Receiver-General and deputies, who are to execute the financial part of the act, shall be appointed to hold office as permanent civil servants, subject to the authority of the Treasury.

The measure empowers the Treasury to create three classes of permanent annuities, bearing interest respectively at 3, 2¾, and 2½ per cent., which shall be charged to the Imperial Consolidated Fund. Strict rules are provided by the bill which forbid the subdividing or subletting of a holding so long as it is subject to any State charge; but the State authority is empowered to relax these rules where he may think it advisable. The other points of the bill were fully covered by Mr. Gladstone's speech.

A great Liberal meeting was held at Newcastle, England, on Wednesday night, attended by 4,000 people. Speeches were made by Earl Spencer and John Morley, and resolutions were enthusiastically adopted supporting Mr. Gladstone's policy. Mr. Labouchere, in a speech at Chiswick on Wednesday, maintained that the mass of the Liberal party supported the views of Mr. Gladstone. He said that he confessed that he should like to see taxation and representation go together, and undoubtedly amendments to Mr. Gladstone's plans in this direction would be made in committee.

A great mass meeting of Liberals and Radicals was held in London on Thursday night, and addresses were made by Mr. Labouchere and others. A resolution congratulating Mr. Gladstone on his endeavor to secure the permanent union of England and Ireland, and expressing the hope that the Home-Rule Bill would become a law after being so modified as to harmonize with the desires of the Radicals, was unanimously adopted.

Lord Selborne, Liberal, formerly Lord Chancellor and one of Gladstone's strongest supporters, in a letter to the London *Times* attacks certain features of Mr. Gladstone's Home-Rule Bill. He pronounces the measure hopelessly faulty from the fact that not one of the restrictions provided excepts from the powers of the proposed Irish Legislature any matter relating to the lives, liberties, and properties of the Queen's Irish subjects. "The magistrates, the judges, and the police in Ireland," says Lord Selborne, "will be the servants of the Dublin Government." Referring to the fact that Mr. Gladstone's measure excludes from the powers of the Irish Legislature all matters relating to the army and navy, Lord Selborne says there is still no reason why a volunteer Irish army cannot be raised without passing a bill. Lord Selborne also strongly attacks the Land Purchase Bill. He asks, upon the ground that £150,000,000 will be required to buy out the Irish landlords, how the shares in the first £50,000,000 provided are to be selected?

Lord Hartington, in a speech before his constituents in Lancashire on Monday evening, said that no alterations would remove the objections to the Irish scheme. He did not wish to coalesce with the Tories, but hoped, with the assistance of Mr. Chamberlain, Mr. Trevelyan, Mr. Goschen, Sir Henry James, Mr. Bright, Earl Selborne, Earl Derby, and the Duke of Argyll, to create an independent party, or to induce the withdrawal of the measure. His address was frequently interrupted. Mr. John Bright sent a letter in which he said: "It would be a calamity for the country if measures of the transcendent magnitude of Mr. Gladstone's should be accepted on the authority of any leader, however eminent. The present sad division in the Liberal party has arisen through the introduction of the Irish measures before the public mind was properly prepared for them." The meeting passed resolutions merely thanking Lord Hartington for his address, and wishing that any legislation adopted might be for the peace and prosperity of Ireland.

Mr. Gladstone has written a letter to the London *Chronicle* in which he says: "It is not my custom to comment on statements made by hostile newspapers, but, having sincere respect for the *Chronicle*, I would call attention to an allegation made by it in a leader, that I have heretofore taught that home rule in Ireland would be a source of imperial danger. I will not challenge proof of the assertion, which was doubtless made in good faith, but it is entirely an error. I have always asked for an explanation of the meaning of home rule, in order to make clear the question whether or not it would be a source of danger. We have now learned the demand of Ireland from five-sixths of her chosen representatives. Such home rule is, in the language of my address of September last, a source not of danger, but of strength. The danger, if any, lies in refusing it."

The London *World* says that Parnell and his friends have already begun to constitute the Irish Ministry. Parnell will be President of the Irish Council, and the distribution of other offices is surmised as follows: Chancellor of the Exchequer, Mr. A. O'Connor; Minister of the Interior, Mr. Sexton; Minister of Agriculture, Mr. Biggar; Minister of Education, Mr. J. M'Carthy; Minister of Public Works, Mr. T. P. O'Connor; Minister of Justice, Mr. Chance; Attorney-General, Mr. Healy; Solicitor-General, Mr. D. Sullivan; Minister of Commerce, Mr. Harrington. It is also intended to appoint a minister who shall have charge of the relations of Ireland with the Irish in America, and it is probable that Patrick Egan will be taken to England to fill that position. Mr. John Dillon is to be Speaker of the new Irish Parliament.

A collision between Orange and Catholic ruffians occurred after the holding of a Loyalist meeting at Glasgow on Friday. Four arrests were made. At a later hour an Orange mob attacked a Catholic chapel, which was crowded with worshippers, and smashed all the windows. The few police who were present were powerless to prevent the mob's work of destruction. The priest conducting the services in the chapel ordered the doors to be locked, and thus prevented the mob from doing further mischief.

Advices from Mandalay, Burmah, say that a British expedition sent against the Kachyen tribe has been compelled to retreat. The rebels in overwhelming force made a desperate attack on the British, charging into a battery of guns, and driving the expedition back. The rebels have captured the Mezgandet Police Station. They bound the garrison with cords and massacred twenty-three persons. The Viceroy of India attaches little importance to these reports. He says that only two British soldiers have been wounded so far, and none killed.

The Queen's Proctor, after testing the evidence in the divorce case of Crawford vs. Crawford and Dilke, has intervened, and the case will be reopened.

The judgment of the court in the *Oregon* inquiry at Liverpool was delivered on Thursday. The decision was in favor of the owners and officers of the steamer on all the questions submitted to the court. The court found, however, that the first officer was somewhat remiss in his duties, but not to a sufficient extent to warrant it in inflicting punishment upon him.

Lionel Tennyson, the poet-laureate's son, died recently on board a steamer on the way from Calcutta to London. He was born in 1854, educated at Cambridge, married a daughter of Frederick Locker, the poet, and was connected with the Indian Office. He leaves a widow and three children.

Baron Alfred Frederic Ameil, a distinguished General of the French Army, is dead, aged seventy-five years. He was captured with his troops at Sedan.

The death is announced of Louis Xavier Ollier, a well-known French surgeon, the author of a number of works on surgery, and an officer of the Legion of Honor. He was sixty-one years of age.

M. de Brazza has been gazetted as Governor of the Congo and Gaboon colonies.

The strike of the watchmakers of Grammont, in East Flanders, is becoming serious. Reinforcements of gendarmes have been summoned. The strikers barricaded the bridges over the Dender River, and made an attack with stones upon the gendarmes. A fight ensued, resulting in the rout of the rioters and the arrest of a large number of them.

The Spanish Senatorial elections have resulted in the return of 128 Ministerialists, 28 Conservatives, 6 Independents, 4 Republicans, and 2 members of the Dynastic Left.

An explosive was placed inside one of the large hollow candles on the altar of the Church of San Luis, in Madrid, on Friday. The explosion took place before the congregation had arrived, badly damaging the building and seriously burning two sextons. It is supposed that the criminal hoped to rob the church of valuable plate during the panic.

The condition of affairs at Stry, Galicia, among the people who lost their homes by the great fire is most pitiable. Most of the victims are without food or means, and are rendered desperate by the thought of starvation. The farmers in the vicinity have been visited by mobs of men who first demanded food and then, if refused, stole it. It is estimated that 123 lives were lost. It will cost $1,200,000 to rebuild the town.

Three-fourths of the town of Lisko, Galicia, has been burned.

It has become known that custom-house officials at Odessa have been defrauding the Government for years. The amount embezzled is placed at several million rubles.

The report is confirmed that the Emir of Harrar, in Eastern Africa, has massacred all the Europeans in his capital, including the members of the Italian scientific expedition under Count Porro.

It is reported at Ottawa that an American vessel has been seized off Cape Breton for a breach of the fishery laws. She was within the three-mile limit.

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PRESIDENT CLEVELAND ON ARBITRATION.

THE special message sent to Congress by President Cleveland, recommending the establishment by law of a national commission to arbitrate labor disputes, would have been regarded twenty years ago as a very long stride toward centralization, and one quite incompatible with any just conception of the principles and traditions of the Democratic party. But State rights, regarded as a code of political principles, have long since disappeared. The small number of such rights that are written in black and white in the Federal Constitution are still in force, because so written, but even these are being whittled away by constructions which would have appalled Thomas Jefferson alive, and might even now cause agitation in his revered remains. What would the sage of Monticello have said if he had read a message from one of his successors proposing to send Federal peacemakers into the States, under that clause of the Constitution which guarantees to each State protection against domestic violence? "The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion, and on application of the Legislature or of the Executive (when the Legislature cannot be convened), against domestic violence." The plain signification of this clause is that the only concern of the Federal authority in the premises is to suppress public disorder in the States when, in the judgment of its constituted authorities, it shall have become too formidable to be dealt with by themselves. This is not merely the text and spirit of the Constitution, but it is an eminently wise provision, in this, that while it reserves the right it also imposes upon the local subdivisions of the nation the duty of regulating their own affairs, including the preservation of order up to the measure of their ability. It will be a serious mistake if this clause of the Constitution is to be construed in such fashion as to lower the sense of local responsibility by casting upon the general Government all the disagreeable duties of State Government, even supposing that the former were capable of performing them.

There is another clause of the Constitution, which says that the President shall from time to time give Congress information of the state of the Union, and recommend to it such measures as he shall judge necessary and expedient. Under this clause President Cleveland has sent in his message in favor of a bureau of arbitration. The information which he gives, if it can be considered "information of the state of the Union," is extremely vague. It is all embraced in the following paragraph, the remainder of the message being in the nature of argument upon the state of facts disclosed:

> "The present condition of the relations between labor and capital is far from satisfactory. The discontent of the employed is due in a large degree to the grasping and heedless exactions of employers and the alleged discrimination in favor of capital as an object of governmental attention. It must also be conceded that the laboring men are not always careful to avoid causeless and unjustifiable disturbance. Though the importance of a better accord between these interests is apparent, it must be borne in mind that any effort in that direction by the Federal Government must be greatly limited by constitutional restrictions. There are many grievances which legislation by Congress cannot redress, and many conditions which cannot by such means be reformed."

It would have been much more satisfactory if the President had given the exact facts which he thought called for a special message. It would have been helpful if he had stated his own opinion whether the relations of labor and capital had lately taken on any new phase, and whether they are more disturbed now than at any former time. It was incumbent upon him, if he wished to impress thoughtful men, to define labor, and tell whether we are to include in that term the 10,598 contented laborers on the Missouri-Pacific Railway, or only the 3,717 who struck without assigning any reason for striking. In default of any precise information, we are driven to other sources of knowledge. The last collection of the statistics of strikes published by *Bradstreet's* showed the number of men out of employment by their own choice in the whole country to be about 39,000—not a very alarming percentage in a population of about sixty millions. Mr. Powderly, who is supposed to represent the only organization that is making much disturbance, testified before the House Committee that the Knights of Labor numbered 500,000, the number having been "raised" by as much as 200,000 since the date of Mr. Powderly's circular published last month.

The most serious defect in the President's message, however, is that what he proposes is not arbitration, although he gives it that name. We are all in favor of arbitration—Jay Gould more than anybody else—and there is a pretty general agreement as to what it means. Mr. Weeks, in his recent excellent treatise on the subject, assumes that everybody knows what arbitration is. He defines it incidentally on page 39 as "the system of dealing with labor differences by boards or committees made up of both employers and employed." This is the principle which governs both legal and voluntary arbitration in all the countries and places where arbitration has ever been employed. It is the very soul of arbitration that the parties whose claims are to be passed upon shall be represented by persons of their own choosing. It is needless to say that this is the only kind of arbitration that will ever accomplish any good.

But the arbitration proposed by the President is of quite another sort. He recommends that a commission of three men be appointed at Washington to arbitrate everywhere and on everything, "under such limitations and upon such occasions as should be deemed proper and useful." The chief limitation upon such a commission is that it would have no moral support because it would not represent either party. The President does not propose giving it any authority to enforce its decisions, but he holds that it would gain an authority akin to that which has been gained by some of the State Railroad Commissions. These Commissions were appointed to compel certain corporations holding public franchises in the nature of monopolies to perform their duties to the public as common carriers. They have nothing in common with the duties sought to be conferred on the proposed Commission, which has to deal with the purely private concerns of employers and employees. The kind of arbitration which the President suggests might suit Mr. Martin Irons and others who insist upon arbitration between each individual employer and the whole body of Knights of Labor—that is, between each employer and the employees of all other employers—but it will not suit any system of industry that has any chance of becoming permanent, or of yielding any useful results.

STRIKES, LEGAL AND ILLEGAL.

WE find in the last number of the *American*, a protectionist weekly newspaper published by Mr. Wharton Barker in Philadelphia, several assertions concerning English and American law on the question of strikes and boycotts which are really curiosities of inaccuracy. Referring to the provisions of our Penal Code on the subject of conspiracy, the *American* says:

> "This section is derived from the old English law of 'conspiracy in restraint of trade',—built up by judicial rulings—the whole of which Parliament repealed in 1864. In English law and practice, now, that is lawful for an association which is lawful for an individual, and the law takes cognizance of no 'conspiracy' which does not seek its ends by unlawful means. The same is the law in Pennsylvania and in Michigan, but the old English views still linger in the legislation of most of the States."

The only statement in that paragraph which is not false is the one that the language of our code is derived from old English law. All the rest of it is pure fiction. The old English law of "conspiracy in restraint of trade" was not "built up by judicial rulings," but by a long series of Parliamentary enactments, beginning with the Statutes of Laborers, passed in 1349-50, and ending with the "Conspiracies and Protection of Property Act" of 1875, the "whole of which" were not repealed by Parliament in 1864 or at any other time. The course of English law upon this question is so interesting and instructive that we will give a brief outline of it, in the hope that it will prove valuable to other persons as well as to the muddled legal expounder of the *American*.

Prior to 1825, the English Statutes of Laborers so elaborately provided for every species of offence by a workman against his employer that there was no need of invoking common-law doctrines in his behalf, and, with the exception of one case of doubtful authority, there is no case reported in the books of an earlier date than 1825 which was not decided under one or more of these statutes. In 1825 there was passed an act which, after specifically providing for the punishment of particular offences calculated unduly to restrain and interfere with trade, provided that it should not be unlawful for persons to meet together for the sole purpose of consulting upon and determining the rate of wages or prices which they might demand for their work, or to enter into an agreement among themselves for the purpose of fixing the wages or prices or the hours during which they would work. Shortly after the passage of this act the leaders of a trade union in London, who had no immediate personal interest in the matter, insisted that an employer should pay his men a certain rate of wages, and, in order

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to compel him so to do, prevailed on his men to leave his employ until he did so, and prevailed on others not to enter his employment. This was held to be an indictable conspiracy at common law, Mr. Justice Earle holding that workmen might, if they thought proper, combine together for their own protection and to obtain such wages as they chose to agree to demand, but "a combination for the purpose of injuring another is a combination of a different nature, directed personally against the party to be injured; and the law allowing them to combine for the purpose of obtaining a lawful benefit for themselves gives no sanction to combinations which have for their immediate purpose the hurt of another." This decision was followed in a number of cases, all based upon the principle that combinations which tended to impede and interfere with the free course of trade and commerce were indictable at common law. The same principle was established in New York independently of these rulings and as long before them as 1810.

In 1859 Parliament again interfered, and defined by statute precisely what offences of this nature should be punishable and what should not; and a series of enactments ensued, as cases arose which were not satisfactorily provided for in the original statute. Finally, in 1875, Parliament passed the statute which is at present in force, known as "The Conspiracy and Protection of Property Act, 1875." By this act it was provided that: "An agreement or combination by two or more persons to do, or procure to be done, any act in contemplation or furtherance of a trade dispute between employers and workmen shall not be indictable as a conspiracy if such act committed by one person would not be punishable as a crime." The statute then proceeds to define what acts committed by one person shall be punishable as a crime, in language which contains no comfort for boycotters or their sympathizers. It provides:

"Section 5. Where any person wilfully and maliciously breaks a contract of service or of hiring, knowing or having reason to believe that the probable consequence of his so doing, either alone or in combination with others, will be to endanger human life, or to cause serious bodily injury, or to expose valuable property, real or personal, to destruction or serious injury, he shall on conviction thereof . . . be liable to a penalty not exceeding £20, or be imprisoned for a term not exceeding three months, with or without hard labor.

"Section 7. Every person who, with a view to compel any other person to abstain from so doing or to do any act which such other person has a legal right to do or abstain from doing, wrongfully and without legal authority,

"1. Uses violence or intimidates such other person, or his wife, or children, or injures his property; or

"2. Persistently follows such other person about from place to place; or

"3. Hides any tools, clothes, or other property owned or used by such other person, or deprives him of or hinders him in the use thereof; or

"4. Watches or besets the house or other place where such other person resides or works or carries on business or happens to be, or the approach to such house or place; or

"5. Follows such other person with two or more other persons in a disorderly manner in or through any street or road, shall on conviction be punished as provided in Section 5."

The legal expounder of the *American* will find the substance of these provisions, and often the very language of them, embodied in our Penal Code, sections 673 and 653. Of course, an agreement or combination by two or more persons to do or procure to be done any of the acts described in section 7, in contemplation or furtherance of a trade dispute between employers and workmen, is indictable as a conspiracy. Such is the plain intent of section 5, and so eminent an expounder of the criminal law as Sir James F. Stephen, in reviewing these enactments, refers to the part played by the judges between 1825 and 1859, "in defining, and, indeed, in a sense creating, the offence of conspiracy." "They defined it," he says, "I think too widely; but that their definition was substantially right is proved by the fact that the act of 1875 has made provision for punishing practically 'all the acts which they declared to be offences at common law.'" It is very evident that this high authority had not heard that the "old English law of conspiracy in restraint of trade" had been "repealed by Parliament in 1864."

The *American's* assertions about the law in Pennsylvania and Michigan are equally inaccurate. In the former State the existing statute is the act of June 14, 1872, Penn. Laws, 1875, which declares:

"It shall be lawful for any laborer or laborers, workingman or workingmen, journeyman or journeymen, acting either as individuals or as the members of any club, society, or association, to refuse to work or labor for any person or persons, whenever in his, her, or their opinion the wages paid are insufficient, or the treatment of such laborer or laborers, etc., by his, her, or their employer is brutal or offensive, or the continued labor by such laborer, etc., would be contrary to the rules, regulations, or by-laws of any club, society, or association to which he, she, or they may belong, without subjecting any person or persons so refusing to work or labor to prosecution or indictment for conspiracy under the laws of this commonwealth.

"Provided, That this act shall not be held to apply to the member or members of any club, society, or association, the constitution, by-laws, rules, and regulations of which are not in strict conformity to the Constitution of the State of Pennsylvania, and to the Constitution of the United States.

"Provided, *That nothing herein contained shall prevent the prosecution and punishment under existing laws of any person or persons who shall in any way hinder persons who desire to labor for their employers from so doing, or other persons from being employed as laborers.*"

The Supreme Court of Pennsylvania has recently decided that the offence of conspiracy is still punishable at common law in that State, except as restricted by statute, and as the statute merely authorizes workmen, alone or in combination with others, to *refuse to work*, any combinations designed to coerce employers or other workmen by the various expedients known as "boycotting" are, of course, still unlawful. The law in Michigan is apparently in an equally satisfactory condition. The act of February 14, 1877, provides:

"Section 2. If two or more persons shall wilfully and maliciously combine or conspire together to obstruct and impede by any act, or by means of intimidation, the regular operation and conduct of the business of any railroad company, or any other corporation, firm, or individual in this State, or to impede, hinder, or obstruct, except by due process of law, the regular running of any locomotive engine, freight, or passenger train on any railroad, or the labor and business of any such corporation, firm, or individual, such persons shall on conviction thereof be punished by imprisonment in the county jail not more than three months, or in the State prison for a period not exceeding one year.

"Section 3. This act shall not be construed to apply to cases of persons voluntarily quitting the employment of any railroad company or such other corporation, firm or individual, whether by concert of action or otherwise."

In other words, in England, Pennsylvania, and Michigan, as well as in New York, Illinois, and Missouri, it is entirely lawful for workmen singly or in concert to refuse to labor for a particular employer, or beyond a certain number of hours, or for less than a fixed rate, or except upon such conditions as they may choose to demand; but it is also the right of the employer to refuse such terms, and to employ anybody who is willing to work for him upon his terms; and any combination or agreement between the dissatisfied workmen for the purpose of coercing the employer or fellow-workmen to agree to their terms is unlawful, provided some act be done to effect the object thereof by one or more of the parties to the agreement.

But the *American* does not stop with the slight exploit of overturning English and American law. It goes further, and rebukes an American judge for decreeing that the law must be obeyed. In the same issue of the paper from which we have quoted above occurs this passage:

"Much in the same spirit as the New York Code is the decision of Judge Pardee in the United States District Court in Texas, in the case of the strikers on the Texas Pacific Railroad. The road is in the hands of a receiver appointed by the court, and this was used to bring them within the court's jurisdiction for 'contempt.' With the merits of the case, so far as it concerned violence offered to persons or property, we are not here concerned. But we observe that Judge Pardee ruled that 'the employees of the receivers, . . . where they combine and conspire to quit, with or without notice, with the object or intent of crippling the property or its operation, commit a contempt, and all those who combine or conspire with employees thus to quit, or as officials of pretended labor organizations issue pretended orders to quit or to strike, with an intent to embarrass the Court in administering the property, render themselves liable for contempt of court.'

"It is law like this from American benches which has earned for the United States the contempt of English jurists as that of a country apparently incapable of legal progress. But such decisions have a much worse effect than to make us a laughing-stock of the British bar. They sow the seed of class bitterness. They help to carry the idea to the working classes that courts and law are on the side of the rich, and that the employee need expect no such consideration as is given to his employer. The receivers of the Texas-Pacific may 'conspire' to dismiss every man in the service of the road, with or without notice, and thus embarrass each and all of them in the management of their finances. But if they conspire to dismiss the road they commit a misdemeanor. The use of the words 'combine and conspire' shows where Judge Pardee got his law from. It is the old notion of 'conspiracy in restraint of trade,' introduced into the case law of the United States courts from English case law. The United States never enacted any such restraint upon individual action, and England has repealed it. The United States courts profess to hold themselves free of the traditions of English common law which prevail in our State courts. Whence comes this doctrine of 'contempt of court,' which allows a judge to subject to an unlimited penalty, from which there is no appeal, any person who is guilty of even constructive disobedience of the judge's order? Here is a point for Congress to consider."

A vital point for "Congress to consider" would be the propriety of legislating that no incurable ignoramus should be permitted to edit a newspaper. Judge Pardee's decision, in the light of the summary which we have given of the English law, is the only one which he could have given without winning the contempt not only of English but of all other jurists. The principles laid down by him are precisely those which have always been maintained by the English courts. A very interesting case bearing upon this point

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is cited in Sir James F. Stephen's 'History of the Criminal Law of England,' vol. iii, p. 225: We quote it for the benefit of all friends of boycotts and "tie-ups":

"In 1872 certain gas-stokers struck, the result of which was that a great part of London was for a time involved at night in complete darkness. They were indicted for a conspiracy to coerce or molest their employers in carrying on their business, and it was held that this was on two grounds an indictable conspiracy, though no offence was committed under the statute. The first ground was that it was an indictable conspiracy to force the company to carry on their business contrary to their own will by an improper threat or molestation. *It seems to have been considered that the great public inconvenience which such a strike would cause, and the nature of the employers' known engagements, might cause a threat to strike suddenly to be an improper molestation.* Also, a threat of a simultaneous breach of contract was regarded, and was pointed out to the jury, as a conspiracy to prevent the employer from carrying on his business. Upon this second charge the defendants were convicted and sentenced to eight months' imprisonment. This case substantially decided that although a strike could no longer be punished as a conspiracy in restraint of trade, it might, under such circumstances, be of such a nature as to amount *to a conspiracy at common law to molest, injure, or impoverish an individual, or to prevent him from carrying on his business.*"

It is precisely this principle, which the English judges invoked in 1872, and which, except as modified by the act of 1875, is in force in England to-day, that Judge Pardee applied to the Texas strikers. The property affected being in the hands of the court, the acts done to cripple its operation, which would have been conspiracy had the property been in the hands of individuals, became contempt and were punishable as such. The absurd comments of the *American* upon the Judge's action do not call for this elaborate refutation, except as they are typical of much of the current newspaper comment upon the law relating to labor disturbances. The notion that the laborer is in some way raised above the law has penetrated a great many newspaper offices, and from them has been communicated to the laborers, where it has worked infinite mischief. Such observations as the *American's* about the "courts and law being on the side of the rich" would be simply silly, were it not for the harm they do when they get into undisciplined minds. The courts and the law are on the side of both the poor and the rich so long as they obey the laws; and the daily and hourly duty of every decent newspaper is to preach that neither the rich nor the poor can violate the law without suffering the consequences.

THE PROPOSED IRISH PARLIAMENT.

THE full text of Mr. Gladstone's "Government of Ireland Bill" has now reached us, and an accurate account of its provisions is at last possible. The restrictions on the jurisdiction of the proposed Irish Legislature cover much the same ground as the restrictions on the power of State legislatures in this country. That is to say, it is forbidden to legislate on ny of the following matters:

1. The status or dignity of the Crown, or the succession to the Crown, or a Regency;
2. The making of peace or war;
3. The army, navy, militia, volunteers, or other military or naval forces, or the defence of the realm;
4. Treaties and other relations with foreign states, or the relations between the various parts of her Majesty's dominions;
5. Dignities or titles of honor;
6. Prize or booty of war;
7. Offences against the law of nations; or offences committed in violation of any treaty made, or hereafter to be made, between her Majesty and any foreign state; or offences committed on the high seas;
8. Treason, alienage, or naturalization;
9. Trade, navigation, or quarantine;
10. The postal and telegraph service, except as hereafter in this Act mentioned with respect to the transmission of letters and telegrams in Ireland;
11. Beacons, lighthouses, or sea marks;
12. The coinage; the value of foreign money; legal tender; or weights and measures; or
13. Copyright, patent rights, or other exclusive rights to the use or profits of any works or inventions.

It is also placed under the prohibition imposed by the American Constitution on Congress touching the establishment of religion and the free exercise thereof, and is also forbidden to impose any disability or confer any privilege on account of religious belief, or to interfere with the right to establish any denominational schools, or to impair the rights, property, or privileges of any existing corporation. Each Parliament is to sit for five years unless sooner dissolved.

The powers of the Parliament are in fact traced very much on American lines, but the division of it is decidedly original. It is to be composed of two "Orders," which are, however, to sit together, and vote together unless the majority of either Order should call for a separate vote. They are then to vote as separate legislative bodies, and if they do not agree the question is decided in the negative—that is, either body can tie up the other. The first Order is to consist of 103 members, almost the number of the present Irish representation in the House of Commons. Of these, twenty-eight are to be the Irish peers now sitting in the House of Lords, and the remaining seventy-five are to be elected, and each must be the owner of property bringing him $1,000 a year, and can only be voted for by electors owning or occupying land or tenement worth at least $125 a year. One-half of the elective members are to retire every fifth year, and their term of office is to be ten years. The peers of the first Order are to hold office for thirty years, and their places to be filled as at present—that is, by election by the whole body of the peers.

The second Order is to be chosen by the existing constituencies, and is to start off with the present Irish members of the House of Commons, and contain altogether 204 members. The Royal University may be empowered to send two members in addition. No qualification is required for the members of this body. The weak point in this part of the scheme is undoubtedly the constitution of the first Order. The existing Irish peers have now but little weight or popularity in Ireland, and there would be nothing particularly imposing about seventy-five men with $1,000 a year each from accumulated property. So that the source from which an upper house made up in this way is to draw its strength or power of resistance, does not clearly appear.

The financial part of the scheme is, of course, a very important one. The Imperial Government reserves to itself the right to levy customs and excise duties in Ireland in order to raise the sum of $23,010,000 annually to pay the Irish share of the interest on the national debt, of the contribution to the sinking fund, of the cost of the army and navy, of the cost of the imperial civil expenditure; and to pay for the constabulary and Dublin police, which are to remain for the present in imperial control. In fixing the amounts of the Irish contributions to the National Exchequer, the Irish proportion is put down at one-fifteenth of the whole, or thereabouts. Outside the above amounts the whole field of taxation is open to the Irish Legislature, but it is not to have power to make any appropriation or levy any tax, except in pursuance of a recommendation of the executive made through the Lord Lieutenant. This is probably intended to protect landlords and Protestants and other minorities, about whom the English public is alarmed, from being taxed out of existence.

The Lord Lieutenant, who is to be appointed and paid by the Crown, is to be the supreme executive officer, and the Irish Parliament is to have no power to legislate regarding his office or functions. There is probably nothing in all the English discussion of the Irish question which has been found so puzzling as the provision of a substitute for our Supreme Court to pass on the validity of acts of the Irish Legislature, or, in other words, to decide whether in any given case it has gone beyond the powers conferred on it by the organic law. The Supreme Court does this work here indirectly by decisions in suits between individuals. Mr. Gladstone proposes that in the case of Ireland it shall be done directly by the Judicial Committee of the Privy Council, which is already the final court of appeal in all Colonial and admiralty cases. Whenever the question of the constitutionality of an Irish act is raised, it is to be referred to this tribunal by the Lord Lieutenant, but for the purpose of passing on it there are to be added to the Committee as many Irish judges as the Queen may deem advisable. The final appeal in ordinary law cases is still to lie to the English House of Lords.

Finally, the organic law is to be altered and modified in only two ways. The first is an act of the Imperial Parliament assented to by the Irish Parliament in an address to the Queen. The second is an act of the Imperial Parliament, for the passing of which twenty-eight Irish peers shall have been summoned to the English House of Lords, and one member from each Irish constituency (or two from constituencies having four members) summoned to the House of Commons—such members to be selected, however, by the Irish Parliament.

We have no space now to criticise the plan in detail. But we may say, in general terms, that the only portion of it which seems, in the light of experience, and on principles of human nature, to be likely to prove unworkable, is the division of the Legislature into orders, and the composition of the first Order. A careful examination of the arguments directed against it by Mr. Gladstone's English opponents shows clearly that they all resolve themselves, in the last analysis, into the

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thesis that the Irish are a peculiar people and unfit for self-government, and that, therefore, no scheme of which they are to have the management will succeed. In other words, the great and fundamental defect of the bill is that it is a concession to Irishmen. But the force of this argument is, of course, weakened by the fact that all concessions of this kind made by the Imperial Parliament to men of any race or class have been opposed on similar grounds. It was used against the Americans, against the Colonies, against the Catholics, against the Dissenters, and against the English constituencies created in 1832, in 1867, and in 1885. It is, therefore, not an argument likely to stand many hard knocks.

THE PRINCES OF CONDÉ.

PARIS, April 8, 1886.

VOLUMES iii. and iv. of the 'Histoire des Princes de Condé,' by the Duc d'Aumale, have appeared this season, and have attracted much attention. It was well known that the author had employed all his leisure hours for fifteen years in collecting and studying the original documents concerning the Great Condé and his father. Some chapters on the first campaigns of Condé had been read in the French Academy and had appeared in the *Revue des Deux Mondes*. I have been told that, when the Duc d'Aumale read to his colleagues of the Academy the account of the battle of Rocroi, won by Condé over the Spaniards, he read with so much warmth and effect that one of the Academicians was heard to say to his neighbor, "He too would have gained it." It has been my privilege to hear many chapters read in Paris or at Chantilly, before a few friends and members of the Orléans family, and I did not doubt that the work would have as much success with the general public as it had in this small circle. There was something impressive and almost poetical in these private readings. I can see now the Duke sitting at his table, with his notes before him; I hear his fine, commanding, military voice; I see the great library, with its walls glittering with old bindings, the escutcheons of the companions in arms of the Great Condé painted on the ceilings of the fine hall, on the chimney an old terra-cotta bust of young Condé, with his wild countenance, his eagle nose, his thin and hard features —so dark with age that the bust looks like one of the old bronzes of the Renaissance; and round the great table, all listening and giving their attention, the nephews, the nieces, the grandnephews, the grandnieces of the royal author. I wondered at the time what thoughts came across the minds of these girls and boys when they heard all these names which to them are so familiar. For centuries, the history of their house has been the history of France. It was certainly interesting to see these children of France receiving such lessons and in such a way.

The third and fourth volumes of the 'History of the Princes of Condé' are devoted to only two of these Princes. The first, Henri de Bourbon, who was the third Prince of Condé, was the father of the "grand Condé"; he fills the greater part of volume iii. The end of this volume and the whole of volume iv. show us the early part, only, of the life of the famous warrior, who will ever be remembered not only by his great victories, but also by the magnificent oration pronounced at his tomb by Bossuet. In every picture gallery there are portraits which are treated somewhat differently, with more or less minuteness. The figure which has chiefly attracted the attention of the Duc d'Aumale has been the figure of the Great Condé; he has not dwelt with so much particularity on the figure of his father. It was, indeed, a somewhat ungrateful task to tell the life of the third Condé; he had none of the qualities of his predecessors or of his successors, or he had them in a much smaller degree, and combined with defects which make him one of the least attractive personages of his time. He was unlucky: he lived in one of the darkest hours of French history; under Henri IV. he appears only in a painful situation, as his wife had inspired a passion in the King, and he could only protect his honor and the reputation of his wife by flight. He escaped to Flanders, and we see him in communication with the enemies of France. He appears again after the murder of Henri IV., coming back, full of anger, and we see him at once chiefly occupied with his own private interests. Malherbe writes of him: "We shall be quit with him on the augmentation of his pensions." He reunited himself with his wife, but the reconciliation was merely formal. He was not long in quarrelling with the Queen Regent, and in taking his place among the discontented of the new régime.

It would be tedious and difficult to speak in detail of the revolts of the Princes, of the treaties of peace made with the Crown, which were never anything but short truces. Each lord was looking for his own interests, each wanted governments and pensions. The excuse of the revolts was the audacity of the new favorites, of the Italian Concini and his wife, afterwards of Luynes; there was nobody who could take the place afterwards taken by Richelieu and by Mazarin, who could or would govern for the real interests of the State. Condé had not character enough, he had no large views, he inspired more fear than respect; he was fond of intrigue, restless, discontented, jealous, unsafe. He had been at first the hope of the Protestant churches, and the Huguenots thought that they should find in him a great leader, that he would accept the whole inheritance of his glorious ancestors. But they were soon disappointed; and, after having tried to use them and having given them some hope, he finally became their most bitter enemy.

The Duc d'Aumale does not think himself obliged, like many biographers, to admire everything in his heroes; he confesses that Monsieur le Prince was laughed at at the Court of Marie de Médicis for his "bourgeois tastes, his parsimony, his debauchery, his vices, real or supposed." He liked the company of the scholars of the University, of the young lawyers; he preferred "la robe" to "l'épée." He had the reputation of drinking, and he did not drink with men of quality. He did not care for the society of ladies, and had nothing of Henri IV., "le vert galant." He was accused of being "bon seulement aux traits de plume et non aux coups d'épée." At the peace of Loudun, Condé received immense advantages for himself. He saw, at the end of the conference, D'Aubigné, who looked sullen and discontented, and who was leaving "this fair of private perfidies and of general cowardice." "Adieu, D'Aubigné," said Condé; "go to Dognon" (the château of the famous author of the 'Tragiques'). "And you," said D'Aubigné, "go to the Bastille." He was a true prophet; the triumph of Condé had been too great. Some time afterwards he was arrested at the Louvre, on September 1, 1616. "What! would you arrest me?" said he to Thémine, who had received the orders of the young King Louis XIII.; "are you captain of the guards?" "No, but I am a gentleman, and obliged to obey the commands of the King, your master and mine."

Condé remained in prison no less than three years. His wife asked and obtained permission to share his captivity. After a while he was transferred from the Bastille to Vincennes. He was only released in October, 1619. His attitude was completely changed from that time; his long detention had broken his unruly character; he abandoned the part of a great leader, he became docile, and at times almost servile; he threw himself passionately on the side of the royal authority and of the Catholic supremacy. How much fear and how much conviction had to do with this transformation, it would be difficult to say exactly. It is natural that the Duc d'Aumale should as much as possible represent him as matured and fortified by misfortune, and as a sincere partisan of the state.

Condé was among those who constantly incited Louis XIII. to the destruction of the Huguenots. He was employed in the last wars fought by the Protestants, but always played a secondary part. His military talents were not equal to his ardor, and Richelieu had no desire to give him too prominent a place in the country. He always kept him more or less at a distance, in fear of disgrace, uneasy, anxious, far from the King and from the Court. The Condé campaign in Franche-Comté added nothing to his reputation; after that we see him living chiefly in his governments, always busy with his estates, his lawsuits, surrounded with lawyers and scribes, entering into the most minute details, visiting his domains, the smallest towns of his governments, in Bresse, in Burgundy, in Berry, in Bourbonnais. Sometimes he was obliged to assist at the great ceremonies of state; but he disliked pomp, and he was very simple in his dress. The Duc d'Aumale cites a letter in which Perrault writes to the Prince: "M. de Bourdeaux forgot himself so much this morning as to say to your Highness that the Cardinal (Richelieu) told him to say to you that when you go to the King you must wear a clean and honest garment, have yourself shaved, put on clean boots—in short, appear as he does himself, and to do that for the love of him and constrain yourself; and that, the first time he sees you, he will thank you for it."

The chief residences of the Prince were, at Moulins, the old château; at Bourges, the hôtel which was called the *logis du Roi;* at Dijon, the magnificent palace of the old Dukes. The government of Burgundy was the most important of all those which were given to him. The Great Condé, however, was not born at Dijon, but at Paris, on September 8, 1621, at a time when his father was in Berry. The Prince did not wish the child to remain in Paris, and, breaking with old traditions, he established him in the château of Montrond, at the confluence of the Cher and the Marmande, isolated on the top of a hill with an immense horizon. The child was left under the care of a few women of modest condition.

The Prince of Condé gave an excellent education to his son (but we will return to this subject when we speak of the fourth volume of the 'History of the Princes of Condé'), and prepared him for a great destiny. As for himself, he spent the latter part of his life in a somewhat inglorious position, always in fear of Richelieu, anxious to be employed by him in the great enterprises which the Cardinal conducted against the enemies of France, but incapable of playing the great part which he claimed in virtue of his name and of his rank. Richelieu had tried him in the operations in Franche-Comté; he tried him again in the operations in Spain. The Prince was again unsuccessful, and the command was definitively taken away from him when the King went in person to the frontier of Spain in 1641.

"Henri II. of Condé," says the Duc d'Aumale, "always felt the great want in his education which we have pointed out—a want which in his time was very essential: he was not trained to arms. Those who have accused him of cowardice have calumniated him: he gave proofs of courage. Before Montpellier, Bassompierre was

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struck by his coolness; at the siege of Dôle he remained calm in his hut under a shower of bullets; he was often in danger during the campaign in Languedoc, as well as at Fontarabia. He had no *élan;* he neglected the combat; he administered war. His soldiers did not see him often; he kept far from his troops. This habitual distance gave rise to unpleasant comments: he generally appeared too late. He never acquired the authority which is given by assiduity, by personal and constant action. He was not a safe man. Persevering in his hatreds; supple towards whoever had anything to do with the depositories of power; absolutely attached to his creatures, often unjust and brutal to all others; disposed to disavow at the first accident those who were not his complaisant tools; incapable of using men of any value, who cannot always be used easily, he could neither impose obedience nor make it easy, and he found himself, in short, ill-obeyed and badly served. With much application, a right sense, the desire to do well, a neat mind, a rapid conception, he could not bring any military enterprise to a good end. He was too fond of his ease; and when people reproached him with his fondness for the table, he answered rather meanly, 'They say that I have not left the cabaret since I left Paris; I have only been there twice!' It must be admitted that his health was failing, that he was often tormented with the gravel. In short, if he has been too severely judged, it is certain that, as a soldier, he was out of the traditions of his race: it is not by his military conduct that he can attract the attention of posterity."

He deserves more attention as a father, as an educator. The education of the Great Condé has been described, with the most minute details, by the Duc d'Aumale; and as the general and current opinion was that Condé was an *enfant de génie*, who had learned nothing and who understood everything, it will not be without interest to show how in his case genius was helped by culture.

Correspondence.

SUUM CUIQUE!

To the Editor of The Nation:

Sir: The very able criticism of Mr. Waldstein's 'Essays on the Art of Phidias,' published in the *Nation* of April 1, credits Mr. Waldstein with "the identification of a head, which had lain undistinguished in the Louvre, as that of a Lapith in one of the metopes of the British Museum." This is a statement which would go to prove that if Mr. Waldstein is very well acquainted with Greek classical art, the authorities of the Louvre Museum are quite deficient in archæological acuteness. Now, the truth is that the head in question, which is sadly mutilated, was purchased by the authorities of the Louvre *because* it was recognized to belong to the metopes of the Parthenon. Mr. Waldstein came independently to the same conclusion, and had the right of publishing the discovery as his own in the *Century* and in the *Journal of Hellenic Studies*. Bnt M. de Villefosse, keeper of the Greek and Roman antiquities in the Louvre, communicated to the Société des Antiquaires, at the end of the year 1882, the *procès-verbal* of the Committee's sitting at which the Lapith's head had been purchased, proving that before Mr. Waldstein's publication the head in question had been perfectly valued by the French archæologists. As the note read by M. de Villefosse was printed at the beginning of 1883, it is very surprising that Mr. Waldstein did not think proper to mention it in his book published two years afterwards. He thus leaves the public under the impression—which could not possibly be his own at the time he wrote—that no one in the Louvre understands anything about Attic art.

Personally disinterested in the debate, I may be allowed to find fault with this *peccatum per omissionem*, as I regret, on the other hand, that, after having triumphantly announced the discovery of original terracottas from Phidias's hand, Mr. Waldstein states *in a note* the facts which your critic has put in the light, which prove beyond a doubt that the terracottas in question are forgeries. Having examined with care the fragment in the Louvre, purchased with the Campana collection, I have come to quite the same conclusion.—Truly yours,

Salomon Reinach.

Paris, April 13, 1886.

JUST MISSED.

To the Editor of The Nation:

Sir: When the small boy disports himself in fishing, with his legs hanging over the end of a wharf, a great part of his enjoyment, if the water is clear enough, consists in seeing the fish smell of the bait, play round it, dart off to a distance, and then come floating slowly back.

On Thursday, the 15th inst., Mr. Logan delivered in the Senate a manly and, for his political reputation, a very judicious speech in favor of removing the seal of secrecy from the executive sessions of the Senate. At one point, after saying, "This mysterious thing of doing in secret what you will not do openly is not manly: it gives the chance for men to vote in secret one way and talk in open Senate another," he was interrupted by Senator Hoar in words which I will venture to quote:

"May I ask the Senator whether his reasoning would not require that all committees of the Senate also should have their meetings openly and in public so far as conveniently may be done? . . . I suppose there is nothing which takes place in secret session so interesting and important to the people of this country as the proceedings of the Ways and Means Committee of the House and the Finance Committee of the Senate, and especially the proceedings of the committee of conference from those two bodies, when revenue questions are up. I wish to inquire of the Senator, if it does not divert him from his argument, whether he thinks that also should be made open and public."

This was a side attack for which Senator Logan was evidently not prepared, but at all events he did not lose his presence of mind:

"I have always recognized the astuteness of the Senator from Massachusetts. Whenever a proposition is made that is not exactly in accord with his notion, if he can draw you off the track on to something else he is always anxious to do it. We are not discussing the question of committees, but we are discussing the question of executive sessions of the Senate of the United States, and committees have nothing whatever to do with this proposition."

May I set down, after the fashion of *Hamlet* to the players, "a speech of some dozen or sixteen lines," in the hope that Senator Logan may consider it for a future occasion?—

"The Senator from Massachusetts tries to frighten me from one conclusion by showing that it involves another. I am not to be so frightened. To the Senator's question I answer distinctly, Yes. The greatest evil under this Government is, that its most important affairs, including the national finances, are manipulated by secret and irresponsible bodies of whose motives and actions the people know nothing. The work of the Finance Committee should not only be public, but it should be conducted on the open floor of this House. That is not possible at present, because the multiplicity of business blocks the way. Of the 7,000 bills and resolutions introduced in a session no one has a right of precedence over any other. The result is a scramble and a struggle for footing which prevents all intelligent action, and leaves but too much room for those who are skilled in secret intrigue. If, as was recommended by the Senate report of February 4, 1881, signed by eight Senators of both parties, the members of the Cabinet were given seats on the floor of the Senate, the important branches of Government affairs would receive their proper share of attention. Public discussion of them would bring out in strong light the motives and character of individuals, and would result in some organized system in place of the present hopeless confusion. We propose at present to make public the executive sessions of the Senate, but the Senator from Massachusetts can rest assured that the Finance and all the other committees will have their turn ere long."

G. B.

Boston, April 24, 1886.

THE RESPONSIBILITY FOR MOBS.

To the Editor of The Nation:

Sir: I notice that you do not hesitate to place the responsibility for the recent loss of life and destruction of property in East St. Louis upon Governor R. J. Oglesby. I presume you do not wish to be unjust in making such an accusation against him, and I hope to be able to point out to you an object more deserving your severest condemnation than either of the Governors of Illinois and Texas.

The law as it now stands, in cases of a breach of the peace, requires the municipal authorities to exert their powers to quell the disturbance. When that fails, the sheriff is called upon, and he must swear in a force of deputies, when, if this is inadequate, the Governor of the State may call out the militia.

It is true in this case that the sheriff called for the military force before it was sent there, but the Governor could hardly have justified his compliance with that request under a strict construction of the law. The fact is, the sheriff had not fairly attempted to exercise his power as the law contemplates and directs; and had the troops been called out at that time, and no bloodshed occurred, the Governor's action would have received still greater condemnation from the taxpayer. I believe his action was right, and in strict compliance with the letter and intent of the law, and I hope that such a compliance with the law, on the part of all governors under like circumstances, will in time open the eyes of the people of this country to the folly of our methods of dealing with mobs, so wasteful as they are of blood and treasure. It is only another sacrifice of blood, offered up to that political sentiment known as "State rights."

When a mob of frenzied men meets and overpowers a force which the law opposes to it, its spirit and courage become exalted; and when the sheriff and his posse comitatus have been met and overpowered, as they almost invariably are, a mob is in right good working order to deal with militia. In the meantime blood has flowed, and when the militia has been worsted, the next step in the bloody tragedy consists in calling upon the President for the regular army, when, with perhaps still further loss of life, that peace which could easily have been maintained by a few regular soldiers is restored. This is the history of most of the serious riots which have occurred in our country. Suppose it was known that the moment the municipal authorities were unable to preserve the peace, it would be given over to those who make war and its dangers a profession: would the mob be as ready to open the ball? The history of the Pittsburgh riots of 1877 will answer the question.

The soldiers and officers of the regular army are always ready, know just what to do, will keep cool; and mobs understand this well; together with the foolish manner in which the hands of the State authorities are tied by the existing laws. While the few regular soldiers in St. Louis, paid and fed by the Government, could easily have maintained peace, their use was impossible, owing to our wise laws, and we must therefore take men and boys from their peaceful avocations, which they really do not want to leave, and face a danger they cannot avert or settle half as easily as the regulars could do it, and with no additional expense. And why is this impossible? Because it is said by many wise

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men that the liberties of 60,000,000 people would be endangered if the regular army was used for such purposes. Whether the 60,000,000 citizens who *could* be enslaved by even a regular army of 100,000 men would not then be occupying the position for which they were best fitted, is a question for serious consideration. Therefore, Mr. Editor, blame our foolish laws, based upon that State-right nonsense, and do not blame the man who simply executes them.

S. J. BUMSTEAD.

DECATUR, ILL., April 22, 1886.

ARE STRIKES RIGHT?

TO THE EDITOR OF THE NATION:

SIR: Under the ample mantle of a generality often lurks a host of fallacies which are completely disguised from the cursory survey of the average intellect. Even mental microscopes of a very high power ofttimes fail to detect them, and the germ of the concealed danger only makes itself known by its after ravages in the intellectual system, which has swallowed the seemingly pure draught. The proposition that *the individual has the right to work or not to work at will*, seems so obviously true that, with most people, it is accepted without challenge. Like one who, wearing the uniform of our own army, is permitted to pass through the lines without examination, or even so much as being asked the password, it enters the camp on the terms of a brother-in-arms. But may not its colors be a mere ruse? At any rate an inquiry into its loyalty will do no harm, if it be true, and if it be false, we shall know how to deal with an enemy.

Physically the individual can or cannot work at will, as long as he will or as short a time as he will. The question is, however, Has the individual not merely the physical power but the moral right to work or not to work at will? It may be replied that in a very loose sense the proposition is sound. Generally speaking it is within the option of any man to labor or not. If I am in the employ of a capitalist at a rate of wages which I regard as an inadequate compensation for my labor, I have the right to quit. Even if I consider the compensation adequate, still am I privileged to withdraw from his service. But does this hold true without exception? Will this same hold good in all circumstances and under all considerations? Let us take an instance which is not only quite possible, but highly probable. We will suppose that a railroad has in its employ, in a remote and very sparsely inhabited district, a man whose duties are those of telegraph operator and signal man combined. This employee tires of his position. It is too lonely and dull, and, becoming dissatisfied, he determines to resign his post. He telegraphs to headquarters that he is going to quit work. Would he have the right to leave his post before the company has had time to substitute a man in his place? Assuredly not. The safety of many lives and the security of a vast amount of property depend upon his faithfully remaining. Here it is very evident that he is morally bound to wait until his successor has arrived to fulfil the necessary duties which he is about to leave. This is a case so patent that the common sense of every one instantly declares that it is his *duty* to remain. But suppose the railroad company telegraphs in reply to our signal man that it is utterly impossible for them to fill his position with a competent man short of a fortnight. Is he morally obligated to remain at his post during the interval? In this latter instance his obligation may seem not so clear, for it may be argued that the failure of the company to supply the vacancy is not his fault, and, as it is the company's place to care for the lives and property in its trust, their safety or danger is entirely beyond the question of his leaving. While it is undoubtedly true that it is the company's place to see the post competently filled, and equally true that the company is liable for any injury to life or property in its charge, it is also undoubtedly false that the company's responsibilities relieve the signal man from his obligation of remaining for the fortnight required to fill his place. The reason is not far to seek; for, as a matter of fact, the safety or danger of the life and property on the road is not beyond the question of the signal man's leaving. His obligations here take a wider range than mere duty to the company, for on his stay or his departure depend the safety of many lives and the security of valuable property, and these relations, which morally bind him, absolutely forbid the desertion of his post. Outside of his duty toward the company, the broader and higher duty to his fellow-man and the rights of property obligates him. This instance, therefore, *the right to work or not to work at will does not cover*, and there are innumerable other instances to show that a general proposition does not always apply.

So much for individual cases. But how does this conclusion fit into the larger question of strikes, when organized labor throws down the pick and refuses to lift a finger in the cause of industry until its grievances, real or imaginary, have been adjusted? Under certain circumstances it is evident that the individual cannot quit at will, even with just cause. Does the same hold true with regard to organized labor, when it acts as a corporate body? Let us here take as an example not only a probable case, but one which more than once has occurred—the preconcerted cessation of labor on a vast system of railways, such as is commonly known as a strike. And it must be noted that a strike means to a labor organization not only that its members shall leave off work, but that no work shall be done at all; otherwise, striking would be futile, and forfeit the very object it endeavors to accomplish. The grievance on account of which the strike has been ordered we will suppose legitimate, and in justice demands rectification. Wages have been reduced ten per cent., and the men refuse to continue work unless the old rates are reestablished. At once several thousand men quit, leaving the roads inactive. Now, a large section of country is dependent upon these roads as the highways of its traffic and its commerce. Through these channels its industries are fed and its prosperity nourished. Agricultural products are conveyed to their markets over these railroad lines, and in turn the cities send forth their manufactured products and provision stuffs to the rural districts and towns. What results from this choking off of the arteries of commerce? In the first place the capital invested in the property of the roads themselves stands idle and immediately becomes unproductive, yielding neither earnings to the investors nor wages to labor. Business at once stagnates and industry languishes. Factories, mills, and foundries shut down for lack of supplies; their capital, like that of the railroads, lies non-productive, and the labor dependent upon it is thrown out of employment. Prices at once ascend the scale, owing to a dearth of supplies, which increases as long as the strike continues. Provisions and fuel become dearer, and labor itself suffers even to starvation and utter misery. For how will labor live under the distress which it has brought upon itself? This hardly looks like coöperation—labor starving labor to right its wrongs. Surely this is a picture of a house divided against itself; the cutting off one's right hand to avenge the left. Moreover, to aggravate its hardships, labor taxes labor to support itself through the trying ordeal; for labor must live, and since it refuses to accept the wages capital proffers, it can only live upon itself, and this means self-consumption—in the end, suicide. Besides, capital suffers in being paralyzed, and the crippling of capital is but another blow at labor; for it is out of the enterprise of capital that labor is paid, and capital that earns nothing can pay nothing. In short, the entire community suffers—the manufacturer, the merchant, the mechanic, the hod-carrier, all alike. Capital and labor both feel the disorder, the latter of course more keenly. The endless injurious consequences of this stagnation of all commercial activity ramify in a thousand and one directions, causing distress and harm incalculable. Pitiless retaliation! it is labor itself which is forced to bear the brunt of the war. It is as if one-half of an army turned upon the other half, and, levelling their muskets at the breasts of their fellow-soldiers, delivered a merciless volley, in the deluded belief that somehow or other their missiles of destruction would reach the enemy.

Balancing, therefore, in the scales the end aimed at as the ultimate good of the strike, and the widespread disorder actually resulting from the refusal of labor to perform its duties in the great workshop of industry, which side morally outweighs the other? Is the advance of wages ten per cent. sufficient compensation for all the harm inflicted by the methods employed? In point of dollars there is no question of the disproportion, for the loss to capital and also to labor in this respect is incomparably greater than the gain of ten per cent. Certainly industry and capital have gained nothing, but suffered much. Outside of its loss in money has labor gained anything worthy of its tremendous sacrifice, blind though it has been? This can only be determined by taking into consideration the end in view and the means employed to reach that end. The supposition is that the end is good, namely, the obtaining of just wages. The means have plainly been hurtful to all concerned, causing a huge waste of the substantial things of life by crippling industry, prostrating commerce, and paralyzing the uses of capital. In consequence labor itself has suffered, poverty and misery of all kinds following inevitably upon the track of this forced inactivity of all branches of livelihood; contracts have been violated by the thousand; disease and crime have battened upon this unnatural condition of things, and the moral tone of the community lowered in proportion to these disastrous results.

Associated, therefore, with the means have been inevitable consequences, which, if we reflect, are seen to be in reality a part of the means; for the object of labor in striking has been to force these results upon capital, in order to injure it, and by so doing compel it to resume operations upon terms dictated by the frightful necessity of the emergency, or, in other words, upon the terms dictated by labor. That this is true becomes evident when it is seen that labor strikes only become effective by bringing about a demoralized condition of the community. The mere cessation of labor is not all the means, but this with its necessary consequences. It is clear, therefore, that the means are in themselves bad. Can it be said that the end justifies them, in the sense that they are the last resort of a desperate population in self-defence? There is some truth in this view of the matter. If labor be so ground down by the tyranny of capital that its only method of self-preservation is a final resort to the pernicious means of a strike, then are such methods justifiable. But this is a state of affairs which, in view of the nature of the country's institutions, is likely always to remain hypothetical. Capital, generally speaking, can never afford to strangle the true interests of labor, for its dependence upon labor is manifest, although in many isolated cases we have witnessed the cruel pressure brought to bear upon the laboring

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classes by greedy monopolists. If capital were universally to resort to a system of extortion from the wages of its employees, it would simply be making the rope to go around its own neck. There may be here and there a capitalist so blinded by greed as not to see this. But the intelligence of capital in general, it is to be trusted, is never likely to permit itself to stumble into such a pitfall. If the glitter of gain should ever blind it to the frightful consequences, the retribution which awaits it is certain.

The only compensation which can be argued in favor of a strike is its moral effect in clearly demonstrating to capital the latter's dependence upon labor, and the necessity of dealing fairly with it. The first point needs no demonstration, for capital cannot help but see that an absolute condition of its use is the employment of labor. On the other hand, it may be said that a strike equally demonstrates the necessary dependence of labor upon capital, for labor starves unless paid by capital. There is, however, a moral point gained in practically showing capital that it must be just in its dealings with labor, and this is the sole good that can ever flow from a strike. Does this gain warrant the means? Comparing the immense evils concomitant with the use of the means, it cannot be doubted that the sin, the misery, the crime, the disorder, and the general demoralized condition of the community largely outweigh the good attained.

The means being bad in themselves are immoral, and only on the supposition that they are a last resort in a desperate necessity are they tolerable, and then only on the grounds of self-defence and the principle that of two evils the choice of the lesser is allowable. The question therefore resolves itself into this: Are strikes (using the word in its fullest sense as a means of preventing the uses of capital) the only means labor has in its power to obtain redress for its grievances? Most assuredly not under our form of government, where the laboring classes have an equal share with capital in making the laws and in building up the institutions of the country. Through legislation, arbitration, public opinion (and labor makes up a large part of public opinion), the end can be gained without violence or lawlessness, and until these have failed, redress by means of strikes is both unwise and immoral.

If strikes were merely a discontinuance of labor, with neither positive nor negative interference with the enterprises of capital, then, indeed, there would be no question of right or wrong. But in its very nature a strike cannot be this. It must interfere with capital in order to gain its ends. It goes without saying that positive interference is wrong. What about a negative interference, that is to say, when labor is so well organized and combined that its simple withdrawal effects all the results which a positive interference under other circumstances alone could bring about? Still would it be wrong, for whatever the method the same results obtain. Disorder reigns, and the community suffers in the thousand various ways which have been already shown.

In addition to the evils which we see resulting from a strike, there is another phase of such movements which amounts to an assumption of tyrannical authority. Congress itself has not the power to suspend the traffic of the country. Yet such is the very nature of a strike, and that with direct intent. Strikes are nothing more nor less than a declaration that all traffic must cease, and that commerce must wait upon the adjustment of labor's grievances. To be effective, strikes must attain this end. It cannot be too often repeated that this is the intended result of strikes, and that it is a mere quibbling to argue that the suspension of traffic is only an indirect and accidental result. The object is to attain a redress of grievances, and the mere cessation of labor without interference will never gain this end. Positive or negative interference must be brought to bear, and either is wrong except as a means of self-preservation when all other means fail.

To work or not to work at will is not, therefore, a proposition applicable under all circumstances. Besides the employee's duty to his employer, in many cases there is the larger and more binding obligation to the community; and to obtain redress of private wrongs at the costly price of violating all those duties which man owes to his fellow-man and to society is a wrong which will in time bring its own revenge. The individual, therefore, who abets and allies himself with organized lawlessness, whose purpose is to sacrifice the public good to gain its own ends, commits a public crime, and such movements as strikes are nothing more than organized immoralities. To do a *little* good, a *great* wrong may not be done. CONDÉ B. POLLEN.

A GOVERNMENTAL BOYCOTT.

TO THE EDITOR OF THE NATION:

SIR: A paragraph is going the rounds of the Virginia papers to the effect that "the Indemnifying Board of the State, consisting of the Governor, two Auditors, Treasurer, and Attorney-General, are about to have published [posted?] a list of names of the taxpayers who tender coupons in payment of their taxes. In this way it is expected that the cold shoulder will be shown to merchants and others who"—take advantage of the constitutional law of the United States!

Is not this a shameless proceeding? and has Governor Lee the right thus to hold up to public contempt the names and characters of those who are fully as honest as himself, and whose only crime is that they prefer one sort of lawful money to another? VIRGINIA.

GRIMM ON ROMAN VANDALISM.

TO THE EDITOR OF THE NATION:

SIR: In your note in the current number, page 320, first column, you do inadvertent injustice to Prof. Herman Grimm in the statement that the outcry of the clerical press of Rome against the destruction of monuments "has been incautiously caught up in Germany" by him. His article in the March *Rundschau* ("Die Vernichtung Roms") has the form of a letter from Rome, and claims to be based upon personal observation of the alleged vandalism.—Respectfully yours,

MELVILLE B. ANDERSON.

KNOX COLLEGE, GALESBURG, ILL., April 17, 1886.

STYLE.

TO THE EDITOR OF THE NATION:

SIR: Gossip about the secrets of style is never untimely nor out of place, and a little touch of it enlivens the pages of that melancholy book, Amiel's 'Journal.' The advice that he bestows on himself as an author brings to mind much that other authors have said about the art of writing, and thereby becomes the more interesting and suggestive.

Speaking of the use of synonyms, M. Amiel says (in other language) that it is well one's team of words should be adapted to the subject and occasion; a writer should sometimes drive at full speed with a single epithet; sometimes with four, magnificently; sometimes, *à la Russe*, with three; sometimes even with a tandem; perhaps more safely with the usual two. Or, in Amiel's own phrase: "The use of the single word gives force, the doubled word gives clearness by stating the two extremities of the series [rather, one might feel, by each word indicating and emphasizing the shade of meaning to be attached to the other], the tripled word gives completion by furnishing the beginning, middle, and end of the idea [?], the quadrupled word gives richness by enumeration." He points out that a multiplicity of phrases which are so many corrections and successive approximations, indicates a "gropingness" of intelligence (*le tâtonnement*), and he counsels (himself specially) to practise the use of the single word—"the off-hand stroke"—no "repentir" (known to painters as a "pentimento"). He adds: "There is a sort of courage about singleness of phrase which implies self-confidence and clearsightedness."

All this may connect itself, indirectly, with what Rivarol said of Dante's verse, not with perfect truth, however, that "il se tient debout par la seule force du substantif et du verbe sans le concours d'une seule épithète." And it suggests the style for which Montaigne animatedly avowed his liking—a style "simple et naïf, . . . succulent et nerveux, court et serré, . . . véhément et brusque"; where, in his untranslatable phrase, "chasque loppin y face son corps," every bit is a whole.

But the most interesting, perhaps, of Amiel's remarks is this: "I certainly feel that at bottom there is but one right expression"; and his English editor has done well to bring to recollection in a note the insistance on the same conviction by La Bruyère, who says: "Among all the different expressions which may render a single one of our thoughts, there is but one which is fitting: we do not always come across it in speaking or writing: it is certain, nevertheless, that it exists, and that anything which is not it is feeble, and does not satisfy a thoughtful man who desires to make himself understood."

Flaubert believed not that we "come across" this fitting expression easily always, but that always we may discover it: "By force of seeking I find the right expression, which was the only one, and which is at the same time the one harmonious in sound. The word never fails when you have the idea." And this takes us back to Montaigne, again, where he says: "Horace does not content himself with a superficial expression—it would play him false; his wit picks the lock of and rummages in (*crochette et furette*) the whole magazine of words and figures to clothe itself."

M. Amiel, in another connection than the passages already quoted, declares that Renan—and he does not count it to his shame—is more heartily a writer than a man of science. "If need were, he would sacrifice exactness to fine phrases [*le dire exact au bien dire*]." "Son but, c'est le style." "A beautiful page is ten times more precious to him than the discovery of a fact or the rectification of a date. And on this point I am of the same mind, for a beautiful page is beautiful by virtue of a kind of truth truer than the record of authentic facts. Rousseau was also of this opinion. A chronicler may find inaccuracies in Tacitus, but Tacitus survives all the chroniclers. . . . If I desired anything, it would be to be a writer, a great writer."

How glad one would be if there were a few more *crochetteurs et furetteurs* in our day than there are; not, like our modern euphuists, draping their puny thoughts in unfitting garments of elaborate splendor, but stalwart wooers of the word, like Flaubert, who strictly meditate the muse, and who feel with Montaigne that the mastery of admirable expression, "je ne dis pas que c'est Bien dire, je dis que c'est Bien penser." Yet, after all, in the deepest sense, no one by taking thought can add a cubit to his style, any more than to his stature. As Amiel says:

"Quiconque est loup agisse en loup,
C'est le plus certain de beaucoup."

A PICKER AND STEALER.

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IMPERFECT TRANSLATIONS.

To the Editor of The Nation:

Sir: In a leisure moment it occurred to me to compare Carlyle's translation of Goethe's 'Wilhelm Meister' with the original. I found my work profitable and interesting. Opening the original at random, and beginning with book 4, chapter 16, of the "Lebrjahre," I found the following imperfections in the first paragraph: Carlyle confounds "abmerken" with "aufmerken," and translates it 'to note down,' instead of 'to catch, divine, discern, detect, or apprehend.' Thus, "Sie merkte Wilhelmen seine Grundsätze ab," is rendered 'She noted down the principles of Wilhelm.' It should be: 'She caught Wilhelm's principles.' Again, "Sie befliss sich des Singens ihm zu gefallen," is translated 'She took pains in singing for his pleasure.' It should have been: 'To please him she sang diligently,' in the sense of to practise and study singing. The conclusion of this latter sentence is wholly changed in the translation and made a mere commonplace, while the original is an observation that excites thought. Other objections that could be made to the same paragraph might be considered hypercritical, and yet the whole is not the best conceivable reproduction of the original. On the other hand, it is difficult to believe that, taking the entire work, another than Carlyle would have done as well.

Surely, the ability to translate correctly is a rare gift. It requires not only a thorough knowledge of both languages, but also the ability to fully comprehend the author and accurately reproduce his thoughts, coupled with unflinching devotion to one's task, surrender and subordination of self, and last, but not least, time, ample time. A "photograph," as suggested by "A Lover of Trustworthy Work" in his despair, is hardly possible. Every translation seems of necessity an interpretation. Now let some one of our critics try his hand! Oscar Reuter.

Denver, April 20, 1886.

Notes.

The place of the late Sampson Low, as agent for nearly forty years of Harper & Bros., in London, is to be filled by Mr. James R. Osgood.

The same publishers have nearly ready 'George Eliot and her Heroines,' by Mrs. Abba Goold Woolson; and 'Joseph the Prime Minister,' by the Rev. W. M. Taylor, D.D.

'Socialism and Christianity,' by A. J. F. Behrends, D.D., will be published in May by Baker & Taylor.

Apropos of the announcement that the London Browning Society has authorized Mr. Arthur Symons, of Nuneaton, to publish a history of "Sordello," we can state there has been a call for a reprint of an article on that poem, by Mrs. Caroline H. Dall, written more than thirty years ago, and published very incorrectly in 1872. Two hundred copies of this pamphlet of thirty-six pages are offered to the public through Roberts Bros., Boston, at thirty cents each. A second edition of Mrs. Dall's recent summary Life of Shakspere is in the binder's hands.

The second part of Count Leo Tolstoi's stupendous novel, 'War and Peace,' has now been issued in Harper's Franklin Square Library. It pictures the invasion of Russia in 1807-1812. The translation is still Clara Bell's, "revised and corrected" for the latitude of the Copyright Office: but the genius of the author shines through all the defects which were pointed out in these columns in the previous instalment, and which examination or casual reading will surely discover in the present.

Under the title "Macmillan's Summer Reading Series," Macmillan & Co. propose to issue during the next few months a cheap, fifty-cent series, in paper covers, of popular novels and other works suitable for holiday reading. New stories by Mrs. Oliphant, W. E. Norris, and others, and new editions of Mr. Crawford's, Mr. Shorthouse's, Charles Kingsley's, and Miss Yonge's well-known tales, will compose the series, in which 'Mr. Isaacs' leads off. The same firm will shortly have ready, in their "Globe Readings from Standard Authors," a fifty-cent edition of Palgrave's 'Golden Treasury of English Songs and Lyrics.'

Appleton's 'Annual Cyclopædia for 1885' closes a ten-year series, and includes an index to the ten volumes. It would have been worth while to recapitulate here alphabetically, under "Obituaries," the several names recorded during the decade; and we must again call the editor's attention to the defect in the regular Obituary Department, by which no notice is given of longer biographies of deceased persons arranged under the general alphabet, *e. g.*: McClellan, Grant, McCloskey, etc. General Grant's military career, by the way, is reviewed in twelve pages by Gen. Horace Porter. Under Canada we find a convenient narrative of the Riel rebellion. Under Knights of Labor one may read their Declaration of Principles; but, on the whole, the account of the organization is meagre—perhaps inevitably so. Typographically, the full-face letter employed in this volume is too condensed for ready legibility. The portrait and other illustrations are numerous. A good map or two would have been welcome.

As the persons who stand in need of 'Don't' (D. Appleton & Co.) would naturally desire to carry it about them, the vest-pocket form just given it by the publishers approves itself. Its red borders, rounded corners, and full-gold cloth binding make it very pretty.

The 'Life and Adventures of Baron Trenck' have come round again in "Cassell's National Library." Goldsmith's "She Stoops to Conquer" and "The Good-Natured Man" make another volume of the little series edited by Prof. Morley; the 'Voyages and Adventures of Sir John Maundeville' a third.

Somewhat larger in size and of equal cheapness is "Routledge's World Library," which is begun by John Anster's version of Goethe's 'Faust,' also, by the way, printed in Harper's Handy Series.

Mr. Appleton Morgan has undertaken to carry forward the Shakesperian bibliography which is one of the great features of Allibone's 'Dictionary of Authors.' His 'Digest Shakespeareanæ'—we must remark once more on the solecism of this feminine genitive singular—has begun to be published in the Papers of the New York Shakspere Society. Part 1 includes titles A–F, topically arranged, no authors' names appearing in the alphabet.

We have already commented on several of the papers of which abstracts are published in the Proceedings of the American Historical Association at Saratoga last September, just issued by G. P. Putnam's Sons. In this pamphlet we have also glimpses of the debates or conversation which ensued upon the reading of the papers.

From John Murphy & Co., Baltimore, we receive the pamphlet Report of the Organization of the American Economic Association, of which Dr. Richard T. Ely is secretary. This organization took place at Saratoga at the time of the sittings of the American Historical Association. Its "statement of principles" implies a leaning toward state socialism, but a foot-note expressly reserves liberty of opinion to members.

Nos. 2-3 and 4 in the fourth series of Johns Hopkins University Studies in Historical and Political Science deal with Town Government in Rhode Island (William E. Foster), the Narragansett Planters (Edward Channing), and Pennsylvania Boroughs (W. P. Holcomb).

We have also received two numbers in the new Philosophical Papers published by the University of Michigan—the first, on University Education, by Prof. G. S. Morris; the second, on Goethe and the Conduct of Life, by Prof. Calvin Thomas.

Our readers have been kept abreast of the *Century* from month to month, and there is little need to speak of the bound volume (ix. of the new series, November, 1885–April, 1886) now before us. The war papers; Mr. Cable's Creole songs and dances; the Italian tour of Mr. and Mrs. Pennell; the illustrations of Barye's works, and the series of dog types, are among the most notable features. Mr. James's 'Bostonians' was brought to a close in this volume.

In the March *Macmillan's* much sense and humor distinguishes an unsigned article on "A Century of Books"—or the lists of the hundred best to be recommended which the *Pall Mall Gazette* extracted from Ruskin, Swinburne, and others, on a hint given by Sir John Lubbock in a lecture at the Working Men's College. "If a reader vaguely wishes to 'improve his mind,' how," the writer asks, "can any list be made? The thing is absurd, unless you know what little there is to be known about the intellect in question. . . . Of all feeble folk the feeblest are those who meander about asking to be educated." "The literature is good for us which we find to be good in our progress through books and among men—not the literature which is highly recommended to us."

The article "Shelley and Vegetarianism" in the April *Booklore* (New York: D. G. Francis) presents the poet in a phase little known to the public at large, and gives a facsimile of the title-page of his excessively rare 'Vindication of Natural Diet' (1813). His poetry may be said to be its best vindication. Seldom can one obituary review in *Booklore* cover three such eminent names as those of Edward Edwards, formerly of the British Museum, afterwards librarian of the Manchester Public Library, and a voluminous author and editor; Henry Bradshaw, of the Cambridge University Library; and Henry Stevens.

The *Manchester Quarterly* for April opens with a paper on "Thomas Rowlandson and His Works," by Harry Thornber, who has drawn freely from Grego's life of the great caricaturist, and has been permitted by Mr. Grego to copy some of Rowlandson's designs in his possession. Eight in all are reproduced in facsimile from this and other sources.

A writer in the *Auk* for April (New York: L. S. Foster) is impatient over the multiplication of monographs on the bird which furnishes a name to the magazine. Mr. Symington Grieve, in his great quarto published last year, goes into an elaborate discussion of the number of skins of the Great Auk preserved in the museums, and from his enumeration as corrected by his reviewer it would appear that there are 78 or 79.

At a time when the shade of Beaconsfield is being invoked by the despair party in English politics, Cassell's *Magazine of Art* for May secures Mr. Saintsbury's pen for letter-press which is, after all, but an excuse for a number of portraits of the Jingo statesman. Not conclusive, certainly, as argument, but highly amusing, is the page of grouped caricatures of Dizzy redrawn from *Punch* (1844-1882), from Doyle to Linley Sambourne, by way of Charles Keen, Leech, John Tenniel, and Harry Furniss. We notice in this number of the magazine some very successful applications of "process" to photographs, especially from statuary.

The *Portfolio* for April is unusually attractive, in text and illustrations. The Laocoon group is discussed with the aid of copies of the original

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and of a seal in the possession of Lord Arundell of Wardour, from which latter (if its antiquity be guaranteed) we may surmise the true action of the restored limbs. Mr. Hamerton's chapters on Imagination in Landscape Painting are accompanied by a fine mezzotint after Salvator Rosa's "Mercury and the Woodman." Another mezzotint is interesting as an attempt to reproduce the effect of water-color by novel devices in the etching, which we need not specify. The editor regards it as successful, and so it seems to us. We mention finally Helen Zimmern's sketch, with numerous facsimile reproductions, of the life of Daniel Chodowiecki, the great book illustrator of the last century, the publication of whose illustrated diary is one of the pleasures in store for us.

In Nos. 522-525 of *L'Art* (Macmillan) there is one preëminent engraving, an etching after Franz Hals's portrait of his son Harman, in which subject and treatment alike call for admiration. We must not omit, either, a forcible etching after Delacroix's Dante and Virgil in their Styx voyage. Some exquisite vases are depicted in the articles on the Stein collection. The only literary paper is a short one, by Arthur Heulhard, on Charles Carmoy, an artist who was the contemporary, friend, and neighbor of Rabelais; the writer being of the mind that while Rabelais's alleged artistic ability cannot be established, he can be shown to have been in friendly relations with many French and foreign artists.

With its twelfth annual series of autotype views, the Society for Photographing Relics of Old London brings its most intelligent and laudable labors to a close. The prospectus of the twelve photographs deliverable during the coming month is before us. They embrace St. John's Gate, Clerkenwell; old houses in the Strand; Great St. Helen's; Tennis Court, James Street, Haymarket; Lady Dacre's Almshouses; Queen Anne's Gate; Court-room, New River Company; three doorways, and as many chimney-pieces; and a sheet of bric-à-brac, so to say—minor architectural features. A few mounted copies of each of the twelve sets (1875—1886) are still procurable at a cost of ten guineas; these, when exhausted, will not be replaced. Single sets may also be procured for a short time. Early notification should be sent to the Honorary Secretary, Mr. Alfred Marks, 155 Adelaide Road, London, N. W.

Mr. Christern sends us the illustrated catalogue of the current International Exposition in Black and White and Pastels and Aquarelles at Paris. The list comprises 1,414 entries, of which just 100 have been reproduced by "process." Some of these are book illustrations; not a few are "after" Holbein, Raphael, Phidias, Ziem, the Dresden "Chocolate Girl," etc., and imply very useful and instructive renderings. Those which will perhaps make the catalogue most prized intrinsically are the dozen or more portraits of painters sketched by themselves, such as Jules Breton's, or Henner's—in which latter the artist's dislike of a firm outline is as marked as in his brush work.

Again the essay is made to establish a *Public Opinion* weekly newspaper in this country—this time at Washington, where, so far as we know, the experiment is novel. The publishers seem to think that city "the best point of observation," though what the exchange table and the scissors have to do with the point of observation is not clear. The first number has some good features.

'The Nineteenth Century Almanac' (Philadelphia: Allen, Lane & Scott), is a convenient collection of calendars, 1800-1900, with a passable collection of anniversary and (from 1876) of centennial dates.

The most significant passage in the eighth annual report of the Providence Public Library is that which relates to an understanding with the Athenæum and the Brown University Library in regard to the purchase of a certain class of books. A single copy may serve the purposes of the entire city, and according as it should more fitly be accessible in one or other of these collections, its purchase is ordered or avoided by the others. This economy might well be practised in other cities.

South America is the sole topic of No. 121 of the Journal of the Berlin Geographical Society. H. Polakowsky begins a contribution to the history of the discovery and conquest of Chile, and there are two papers on the expedition so successfully planned and executed in October of last year by Gen. Benjamin Victorica, the Argentine War Minister, to the Gran Chaco. A map shows how he pushed the military frontier back to the line of the River Bermejo, thus cutting off the access of the wild Indians of the central Chaco to those of the southern, and guaranteeing security to the settlers who, it is now expected, will be attracted in great numbers to the fertile tableland lying to the south and west of the Bermejo.

The Dominion Government last year ordered a report on the agricultural colleges and experimental stations of the United States, and this has just been published at Ottawa from the pen of Prof. William Saunders. We presume that nowhere else can such a summary view be had of these institutions, their constitution, scope, and practical influence.

An important monograph on 'Insects Affecting the Orange,' by H. G. Hubbard, illustrated with numerous cuts and colored plates, has just been issued by the United States Department of Agriculture.

In Matvei Ivanovitch Muravieff-Apostol, who died in Moscow early in March, at the age of ninety-four, Russia probably lost the last of the notable Dekabrists, or December-men, as are called in her history the actors in the military insurrection of December, 1825, which aimed at preventing Nicholas from ascending the throne made vacant by the death of his brother Alexander I., and at the substitution of a liberal constitutionalism for Czarist autocracy. His brother Sergei was one of the most active and prominent leaders of the conspiracy, and, after a fight in which their brother Ippolit fell and he himself was wounded and captured, was executed on the gallows in St. Petersburg. Matvei was sent to Siberia, and there he remained to near the close of his long life. On his coronation in Moscow, Czar Alexander III. restored to him with his own hand the cross of St. George, which he had forfeited in 1825. The Muravieff-Apostols are a branch of the ancient boyar family of the Muravieffs, a family largely and variously represented in the modern history of Russia.

—"A Lover of Trustworthy Work" sends us, apropos of the discussion over *préau* in the sense of meadow, the following illustration of this sense being ("inusité," perhaps, as Littré asserts, but) not "entirely obsolete." The extract is from page 54 of the second volume of Turgeneff's 'Mémoires d'un Seigneur russe,' translated by Ernest Charrière (1885):

"J'ai un voisin qui est . . . chasseur: . . . Je me rendis chez lui à cheval et lui proposai d'aller chasser à la caille. Il y consentit. . . . Nous partîmes. . . . Arrivés à l'exploitation, nous entrâmes dans des taillis. 'Attendez-moi ici sur le *préau*,' dit mon voisin. . . . Nous regagnâmes le *préau*."

—The first number has appeared of the *Political Science Quarterly*, edited by the Faculty of Political Science of Columbia College. Each member of the Faculty contributes an article. The introduction is by Prof. Munroe Smith, in the form of a short paper on the "Domain of Political Science," his object being to make clear the relations and the distinction between the science of the State and the other sciences that treat of men in their social relations. Prof. Burgess discusses "The American Commonwealth: Changes in its relation to the Nation." Prof. Goodnow writes on the "Collection of Duties," comparing the provisions of our customs law for the prevention of undervaluation with the safeguards adopted in other countries. Prof. R. M. Smith examines "American Labor Statistics," with a result that can hardly be called flattering to our statisticians. Of the sixteen bureaus of industrial statistics maintained in this country, five have as yet published no reports, and ten others have pursued such defective methods in the collection of data, or have collected on so meagre a scale, as to have substantially nothing to offer that is worth considering. The Massachusetts bureau alone, under the able management of Commissioner Carroll D. Wright, has succeeded in producing work that can be regarded as possessing statistical value. Even in the Massachusetts reports Prof. Smith finds that many of the averages are made on a faulty principle. His article merits careful attention on the part of our collectors of labor statistics. Prof. Whitridge treats of "Legislative Inquests," and concludes, from a review of their use in this country, that the powers of inquest and of committal for contempt have been greatly abused and ought to be restricted. Prof. De Leon contributes a lengthy paper on the Berlin Conference on the West African question. He goes very fully into the history of negotiations between the countries of Europe in reference to the Congo question, making the German intervention of 1884 the objective point of his treatment. The motives and consequences of that intervention he describes with clearness and vigor. He is justly severe on the conduct of the American representatives at the Conference, Messrs. Kasson and Sanford. In addition to these leading articles, the *Quarterly* contains a number of short notices of books in political science. Altogether, the first number gives promise that the new publication will fill a useful place among our periodicals. The typography and general appearance are inviting. The style of the articles, if not brilliant, is at least clear and effective. There is perceptible here and there a slightly socialistic flavor in the way of regarding the state that may prove harmful if it should be allowed to grow stronger. But there is little danger of that, we apprehend.

—Critical readers of the first number of the *Quarterly* will be likely to find more from which to dissent in Prof. Burgess's article than in any other. His whole point of view is not likely to commend itself to Americans who value their institutions. It is a Frenchman's view of Federal Government, a doctrinaire view, rather than the practical view of an Anglo-Saxon. Prof. Burgess's main thesis is a virtual denial of the possibility of Federal government as a permanent arrangement. The doctrine that our Constitution rests on a basis of "immutable and indestructible States" he rejects as nonsense. He regards the States as merely convenient districts for "jural and police" purposes. Of sovereignty they have no part. As colonies they were subject to the English Crown and Parliament. At the Revolution the sovereignty wrested from the English King passed by devolution to the Continental Congress. The new-born States, as matter of law and right, held the same relation to the Congress as they had previously held to the English Crown. The assumption of any greater powers or freedom in the early State constitutions Prof. Burgess sets down as usurpation. This usurpation, he admits, was ratified by

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the Articles of Confederation; but the Constitution placed the usurping States back again in their proper position of subjection. The course of things since 1789, he holds, has lowered still further the position and powers of the individual State. Its present position between the two "natural elements" of our system, the nation and the municipality, he regards as precarious and in the long run untenable. In proof of this he compares recent State constitutions with those of the early days, and finds that the powers of the State Legislatures and Governors have been greatly abridged. The fallacy of this reasoning consists in the assumption that the powers taken away from the State Legislatures have been lost to the States. The fact is, that the restrictions imposed on the State governments are in the main wholesome restrictions suggested by experience. Many of them would probably have been imposed on Congress also if the process had been as easy and simple as it is in the case of the State Legislatures. Further, if the people of any State have imposed limitations on the powers of their representative bodies, they are free to remove the limitations at any time. Such restrictions surely imply no loss of power or dignity on the part of the State itself. As well might one argue that the limitations and restrictions placed on the action of Congress lessen by so much the sovereignty of the United States.

—The widow of Wendell Phillips died in Boston on Saturday evening, at the age of seventy-three. This event will cause only gladness in those who have known the forlorn condition in which the wife of the great orator and philanthropist was left, when he was taken away from her who had no other solace and support. Long years of invalidism had made her nearly bed-ridden, and, between her real sufferings and her apprehensions, her life for the past two years has been pitiable in the extreme. Mrs. Phillips, whose maiden name was Ann T. Greene, was related to the Chapman family, of which the late Mrs. Maria Weston Chapman was a member by marriage, and at the house of Mr. Henry Chapman she was married some fifty years ago to the young lawyer whose life-work she was largely to determine and to support. The Chapmans were already deeply involved in the anti-slavery movement, and after the Boston mob of October, 1835, Mr. Phillips was ripe for the dedication of his genius to the same cause. The result was a social isolation which Mrs. Phillips's feeble health only emphasized, but her sick chamber became a well-spring of cheer and inspiration to her husband's anti-slavery zeal and activity, to which he bore many touching testimonies in public and private. Her benevolence in other ways ran parallel with his own, and no memorial to him would be complete which denied her an equal share of human sympathy, self-denial, and even courage. That she should outlive him seemed not only contrary to nature, but to the perfect union which subsisted between them.

—Persons whose attention has not been specially directed to the philosophy of the subject, after supposing consumption to be inherited and ague to depend on swamps, group diseases generally under two heads: those that are "caught," like measles and scarlet fever, and those that "happen," like apoplexy and heart disease. Beyond that is mystery. Such will find 'The Pedigree of Disease,' a course of six lectures on temperament, idosyncrasy, and diathesis, delivered before the Royal College of Surgeons by Mr. Jonathan Hutchinson, and beautifully reprinted by Wm. Wood & Co., attractive and instructive. Although addressed to a professional audience and presupposing a professional acquaintance with certain fundamental facts, the style is clear and easy, and the general reader will probably be led by its fluency to think he understands it all, while really absorbing a part of it by mere intellectual contact. Such observations as these any one would be interested in: "The comparative immunity of those who use the fish oils as articles of food, and the prophylactic virtues of cod-liver oil among ourselves, are, I believe, established facts, and their lesson is of considerable importance in reference to the dietetic causes of scrofula" (p. 64). "Just as a man who has yielded to intemperance is in danger of becoming a drunkard, so it is with the tissues. The oftener they yield to any special process of inflammation, the more prone are they to yield again" (p. 81). "The occurrence of great difference in color between the eyes and the hair, the eyes being much lighter than the hair—as, for instance, black hair with blue eyes—is probably an indication of delicacy" (p. 14). "The rufous complexion is due not merely to deficiency but to peculiarity in quality, and is probably usually the result of a mixture of dissimilars" (p. 14). These are heteregeneous sentences casually selected.

—Dr. Julius Göbel, who has recently concluded a course of twelve lectures upon German literature at Johns Hopkins University, has contributed to the *Deutsche Schriftsteller Zeitung*, Stuttgart, for March 1, a letter upon "Amerikanisches Piratentum," which may be recommended to German readers in the United States for thoughtful perusal. The writer, who gave evidence of his earnest desire for the best future welfare of his kinsmen in this country in a series of letters addressed to Prof. Karl Biedermann, and published in 1883, under the title, "Ueber die Zukunft unseres Volkes in America," contends, in this article, that the answer to the question so often propounded in Germany, Why is there no original German-American literature developed in this country? must be sought for in the absence of honest relations between the authors of Germany and the piratical publishers of this country. The present "robber system," as he calls it, is denounced as a shame which should be suppressed as quickly as possible. The flooding of the country with dishonestly obtained and consequently cheap reprints, against which the native-born German authors cannot successfully compete, renders it impossible for the latter to earn a livelihood by literary work; and this suppression of home authorship tends to check the healthy growth of the German language in this country:

> "Because," Mr. Göbel thinks, "whoever is clear-sighted will probably admit that it is not sufficient for the preservation of the German language in this country to simply import enough German books. Our American-Germans rightfully demand that their own world here, with its joys and sorrows—which is a very different world from that of our fatherland writers—should, sometimes at least, be presented to them in the mirror of art. Especially is this required by our native youth, who will only in this way understand German speech and manners and learn to love them, whereas now they turn mostly to works in the English language, because they do not understand the authors of Germany, and our own fail to satisfy this need."

—A convention for the protection of literary property, therefore, not only would be advantageous to the authors of Germany, but would benefit the German people in the United States. In the meantime, so long as no convention exists, Dr. Göbel suggests that the prominent publishers of Germany enter into negotiations with the more respectable American booksellers either to send over to the latter stereotype plates, or, through a common agent, arrange for the publication of a simultaneous authorized edition. This method would undoubtedly give the authorized American publisher the advantage incident to being first in the field, but Dr. Göbel is in error in believing that such an edition could obtain under our copyright law such protection as would enable the authorized American publisher to pursue and enjoin piratical reprints. He has been misled by supposing that the claim of "copyright" made upon the pirated editions published by George Munro, whose case he cites in illustration of the financial feasibility of his plan, secures to the publisher any rights which would be protected by our courts. Our copyright law does permit the publisher of pirated books to mark his own name upon the stolen wares, but does *not* protect books so marked as the rightful property of the thief. The case related of the fraudulent action of the publisher of a projected journal whereby the editor and designer was dispossessed of his literary property, demonstrates the need in this country of what the Germans call "Verlagsrecht," that is to say, a more clearly defined law of contracts governing agreements of all kinds between authors and editors upon the one side and printers and publishers upon the other.

ANOTHER DIARIST.—II.

Remarks and Collections by Thomas Hearne. Edited by C. E. Doble, Master of Worcester College, Oxford: for the Oxford Historical Society. Oxford: Clarendon Press; New York: Macmillan. 1885.

For books, printed and written, Hearne's eyes and ears are, we may be sure, very sharp, for his own sake, for the sake of letters, and for the Bodleian Library's sake. Sometimes he gives us a glimpse into rare volumes at what has caught his own eye. Thus he has seen a folio volume "in French, fairly written and curiously illuminated, containing the History and Deposition of Richard the Second. What I value it most upon," he says, "is the several Habits of that Age, which are to be known from it. Amongst the rest there is an Irish King, without Stockings, and in a very odd Bonnet upon his Head. 'Tis there said that his Horse cost him 400 Cows. Remember to ask Mr. Cherry for a Sight of this Book." No one, we think, with the least tincture of the antiquarian in him, can keep himself from sharing the wish to see it, and perhaps some of us may be so happy as to find it in the 'Chronicque de la Traison et Mort de Richart deux Roy dangleterre,' of the British Museum, or in some translated shape, illustrations and all. Hearne's was a well-guided eye. Among "the several Habits of that Age," what chiefly struck him was the head-gear of the royal barefoot, which was "very odd"; while we, who have seen a thousand times as many Irishmen as Hearne ever saw (very many of them descendants and heirs of kings), wonder first at "the Habit of that Age" of giving 400 cows for a charger, for in our day three or four pretty good cows ought to be worth a pretty good horse. We see that this kingly steed is as far out of proportion as the horse made by the dole-full Danaäns, which frightened Laocoön, and Capys, and many another Trojan man of sense. To bring the proportion right, one might have inclined to propose the shrinking of the kine into those other milch cattle, strong of head and strongly smelling, which follow the fortune of transplanted Irishmen in the outer streets of our large cities. For the queer-looking bonnet, one might at once have offered a bold guess that it was made of what remained of the stockings so conspicuously wanting to the King's feet. Hearne's staid enthusiasm lays a timely check upon any hasty critical suggestions.

It is curious to find ourselves abreast of "the IId. Edition of Psalmanazar the Formosan's Book giving an Account of his Country," and it is comfortable to find our Hearne (apparently) gratified that he was "still counted a Cheat in London." At the same time, so great and so ready were

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Psalmanazar's abilities and learning, that it was no shame to be taken in by him, as many clever and learned men were. It is interesting, too, to stumble upon a critical correction of the text of Shakspere, before the days of "folios," and "quartos," and Colliers, made in a very purpose-like way. In an account 'De Nomine & Familia Barnes,' we find that one eminent member of the family "in Tragoedia *Macbeth* per errorem dictus est Steward, pro Siward." Whoever now looks at the list of characters of that play will find the name written rightly.

Mentions of books are endless, and glimpses into them abundant. Of those of that day which made a stir, Hearne's own party friends wrote their share. Leslie, known to many still as author of 'Short and Easy Methods' (with the Deists, with the Presbyterians, etc.), was busy in political as well as ecclesiastical writing. He was at Oxford at one time as Mr. Smith. Dodwell, a layman, learned as Hearne was, but engaged, as Hearne was not, in the burning discussions of the time, comes up here incessantly: he had been an early friend and had been a teacher of our diarist. One book of his was 'Epistolary Discourse, showing, from Scripture and the first Fathers, that the Soul is a Principle naturally mortal, but immortalized actually by the Pleasure of God, to Punishment or Reward, by its Union with the divine, baptismal Spirit; wherein is proved that none have the Power of giving this divine, immortalizing Spirit, since the Apostles, but only the Bishops.' This was attacked fast enough and sharply enough to keep its author warm with work. He believed "the Air the Receptacle of all souls, good and bad; these, till the Day of Judgment, being under the Power of the Devil, the Prince of the Power of the Air," who "can inflict on the souls of really good Men only some Disquietudes and Molestations, wherein they may be relieved by the Prayers of the Living."

The ticklish temper of the times in which so many pillars of the state were shaky, and none knew which were not, and in which the great body of the clergy were dissatisfied and apprehensive, is curiously shown in the case of a single pamphlet which figures in these pages almost as a living being, raising commotions, now in one place, now in another a great way off. This was '*The Memorial of the Church of England;* wherein divers Intrigues of a great Minister of State are discovered, and the Designs of the Whigs for destroying the Church are manifested.' "The Messenger of the Press is ordered, if possible, to discover the Author, Printer, and Publisher of *The Memorial of the Church of England*, there being several things in it that give great offence at Court, whilst those of the other side are wink'd at, as *The History of the Court of Poland, etc.*" Here a man was suspected of having written it; there another was taken up on that charge. Now it was "said that some great Men have given Bayle upon Mr. Stevens the Printer's appearing Evidence against them"; now several were under arrest. The Duke of Buckingham is at one time said to have written to the Lord Treasurer Godolphin to search no further, as he himself acknowledges the authorship, and is prepared to defend every statement; at another Mr. Lesley (Leslie) is said to have been required to give bail in one thousand pounds to answer for it. There was a 'Vindication of The Memorial,' and it was answered "paragraph by paragraph." The Memorial was presented by the Grand Jury, and burned by the hangman at sundry places. A Sir William Pittett, or Mr. Pettiss (qu. Petty?), is "discharged from custody" for a pamphlet in connection with the burning of it. At length the Memorial goes out of the way of living men, like those once famous, evermore forgotten books of Don Quixote's library. Before that time our Hearne had comforted himself with Leslie's discovery that "the Author of *The Memorial of the Church of England* is for the independent State of Nature, & all Government to have its Original from the People, . . . an evident token that 'twas writ by . . . the Whiggish Party, and fathered upon the Honest men, on purpose to bring an odium upon them; just as Mr. Stevens (that notorious Whigg & Fanatick) his Letter . . . was layd upon High Church Men," but "was written by De-Foe, who was pillor'd for it, & glories in it, to this day."

But Hearne's sharpness of eye and ear in matters of Church, and University, and affairs of state may be judged of by his expressions in every direction. It may be granted that his party was pure, as persecuted parties are proverbially said to be. Bishops, priests, and people in it had suffered deprivation. Of the busy writers, Leslie had lost high preferments in the Church; Dodwell, a professorship at Oxford; and so with the rest. Hearne's pen puts things (about non-jurors and their opponents) strongly, and we must make some allowance for him, but cannot allow everything. Bishop Burnett, of course, comes in for suspicion and censure: in one case they are outrageous. Others, too, we may believe, get sometimes more than they deserve of praise or blame. Few English, Irish, Welsh, or Scottish people ever came under his eye without their party color, and certainly party spirit ran high and party lines were strictly drawn. It was such a time that "The Archbishop of Canterbury, 'tis said, will suspend the Prolocutor [Speaker of the Lower House of Convocation (or Synod)] next Convocation, if they continue obstinate, as the last"; and "when the Lower House . . . were ordered by the Bishops to assent to the Address to her Majesty, of their drawing-up, or else give their reasons, the Lower House, instead of giving Reasons for their Dissent, drew up Reasons why they should give none." They were standing for their rights to act and speak freely, if they acted and spoke at all. Convocation (the representative body of the Church) was near the edge of that arbitrary suspension by the state which kept the Church of England, for one hundred and fifty years, without corporate action, or deliberation, or voice—the most enslaved church whose slavery was ever called "establishment."

In one funnily-grave case (which was thoroughly worth an illustration by Hogarth), Hearne seems to be trying to administer a prosaic justice without regard to his non-juror instinct at least, if not without partisan feeling for his own university. Three Oxford dons, the Master of University, the President of Magdalen, and the Provost of Queens, had had a mighty cloud of evil speaking raised about them. They ("and perhaps some others"), says our author, in answer to Dr. T. Smith, an Oxford man in the country, "had stay'd till 9 of the clock, one evening, at the Warden's of New College," but, as to any story of their having been lighted home with nothing but silver tankards taken by mistake for lanterns, and not having found this out till it was found out for them, an ill-savored story of this sort is not to be accepted. "'Tis highly scandalous to say that they drunk to excess; the Warden of New College not being in a very good state of Health, & neither of the others noted for being hard drinkers. However, 'tis true that [the Master of University]'s boy . . . instead of carrying the Lantern, took away a Silver Tankard, which was not perceived till they came home; because the President of Magd. & Provost of Queen's accompany'd him & their men had Lantern's at the same time." Whether this judgment of our author in favor of the three Oxford great men is as satisfying or as fair as Robie Burns's in his own case,

"We are na fou: we're no that fou,
But just a drapple in our e'e,"

the reader shall determine after taking in one more fact from Hearne: "THE BOY . . . (who has been guilty of other such crimes) *is since turn'd off.*" Did any reader ever know the guilt clapped on the wrong shoulders?—especially a master's upon a servant's? At any rate, we shall all agree, perhaps, that Hogarth could have made as good a thing of this as of any doing of his "rakes" and revellers.

Coming volumes will be fuller.

RECENT FICTION.

A Girton Girl. By Mrs. Annie Edwards. Harper's Franklin Square Library.

Two College Girls. By Helen Dawes Brown. Boston: Ticknor & Co.

Markof. By Henry Gréville. Philadelphia: T. B. Peterson & Brothers.

Roses of Shadow. By T. R. Sullivan. Charles Scribner's Sons.

Stories from Provençe. From the French of Alphonse Daudet, by S. L. Lee. Harper's Handy Series.

A Country Gentleman.—A House Divided Against Itself. By Mrs. Oliphant. Harper's Franklin Square Library.

A Cardinal Sin. By Hugh Conway. Henry Holt & Co. (Leisure Hour Series.)

Lester's Secret. By Mary Cecil Hay. Harper's Handy Series.

'A Girton Girl' and 'Two College Girls' would seem at first sight to furnish the means of comparing the English and American students, but the first title is a misnomer. 'A Would-be Girton Girl,' or 'Why Marjorie Bartrand did not go to Girton,' would have been more exact, for she gets no nearer to it than a Cambridge lodging-house. Nevertheless, we have a pleasant story of the idling life of English people in the picturesque setting of a Channel Island. Tutor and pupil present almost too obvious a combination in the first chapter, but their fortunes are so closely and cleverly interwoven with those of another pair, an artist and the beautiful wife to whose charms he is absurdly blind, that the reader has the chance for a good deal of speculation before the happy ending. The work is not so fine, so well proportioned, as Mrs. Oliphant's. The difference is most marked in the attempt at bad characters. Not that the adjective here means anything more than the universal distinction between good and bad: vanity and selfishness are the worst traits with which Mrs. Edwards has to deal; but the minor vices are the most difficult to set forth naturally. Neither the artist nor the lady who tempts him away from his wife is strongly done. She is not attractive enough to justify his inclination for her, and his conduct to his wife in that regard, as contrasted with what we are told of their former life, is nothing less than cowardly. In point of style, and still more of incident, the book is bright and attractive; far surpassing, in that last respect, American books of its class. Ours seem in contrast, to use one figure, thin, or, in another, patched with bright bits, but with long spaces of dull hue between.

In certain important respects 'Two College Girls' offers a pleasing contrast to some previous novels of the same general purpose. The author has hardly a style of her own, but she tells simply and entertainingly the story of four years of life in a college which she does not name, but which the reader will need no help from the reviewer to identify. Her heroines are chosen on the old plan of foils, and are true to the old conventional types in such stories. The unsophisticated country girl of brains and ambitions, with

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sturdy New England principle at bottom, of course finds in her roommate a radiant blonde from Chicago, as scatterbrained and shallow as can be made consistent with cleverness and generosity later on. The life is one of frolics and gayeties, toned down by rare glimpses of recitation-room and chapel, and by one sad episode, plainly after "Arthur" in 'Tom Brown at Rugby.' The hero is duly provided at the outset, and the little romance is worked in and out to a fit climax over the heroine's roses in the glory of Commencement Day. Neither in scene nor in incident is there anything novel. No figure is drawn strongly enough to waken any warm personal interest, and it is possible that the author's design was to picture the general life of the place rather than individuals. The story is made superior to all its predecessors by its perfect good taste, and by a tone which pervades it throughout, and which we only imperfectly describe by calling it moral high-mindedness.

When thus much has been said, we believe we have done the book full justice. What it lacks brings us to graver questions. There is nothing in it, from the first page to the last, that is beyond or above the level of a good boarding-school. There is nothing of growing and deepening maturity, nothing of the sense of the heights and depths of learning—in short, nothing of the intellectual life. The incidents are "candy-pulls," parties, theatricals, picnics, over and again. From such a book, why should it not be thought that the life is, as one girl says her friends believe it to be, "one series of junketings"? It is not because these things are in it that we find the book so gravely at fault, but because there is nothing else. We do not forget how much of festivity there was in the life of the Oxford Tom Brown. Or, by way of extreme illustration, the extravaganza of 'Verdant Green' might be taken. Certainly that hero knew little enough of the intellectual life, but the book gave the sense that he was living in the midst of it. All the fun was intensely heightened by the contrast. Neither in that nor in Hughes's story is it possible for a moment to forget the intellectual atmosphere of the university. The question is serious. Was the author herself unable to see or to portray the real life of the students, or has she, as a faithful witness, betrayed the grievous trouble about her college? Under the last supposition, it would be a pity that the book was much heralded and has been commented on as vivid and truthful. Whether a book has something more or less in it, is a minor matter. What is the actual condition of the colleges (now no longer new) for women, is of much concern. Sensible people saw at the outset that in some things they must differ from colleges for men, but in essentials they must be one. There can be no difference in spirit if the college is the foster-mother, the home of learning, the place where the things of boyhood and girlhood are put by and the serious life of man and woman begun. (That boys and girls are often still boys and girls in college, is not to our point. It is of the spirit that must rule the place to make it worthy the name, that we are speaking.) In Miss Brown's college, lights must be out at ten o'clock. The teacher can be proud "of a fine bit of detective work." There is no moment in which dress is not of paramount importance. There are no books and no talk of books except text-books and novels, and only rarely of either. "To be uninteresting is, to the college girl's mind, the most hopeless of misfortunes." To be a senior is "a perfect social position." Perhaps this is enough for our purpose, which is to induce those who have an intelligent interest in the college education of women to read, to ponder, and to inquire. Has there not been a tendency to the comfortable conclusion that it was all-sufficient to found the colleges? It should not be forgotten that, as yet, life provides no such tests of their excellence and their effectiveness as for the old establishments for men. To make anything like what is known and valued as intellectual life out of purely feminine elements is certainly a heavy task, for at best it takes a constant guard to keep feminine life from growing trivial. All the more it is the all-important, the most imperative duty. As one step in the work, a satisfactory proof that 'Two College Girls' is not a faithful picture would be welcome.

There is nothing in 'Markof' to alter the judgment of Mme. Gréville's work recently expressed in these columns. It has been brought forward as a musical novel, but it bears no comparison with the well-known examples of the type, which more than one language has long since supplied to fiction. Sin, not less sinful because it is not actual crime, is presented as a mere incident of brilliant worldliness—no harm, no dishonor to any one. Besides the moral perversion, the story is spiritually false, for no man over whom the whirlwind has swept was ever left unscathed. That Markof should turn to the little idyl with Hélène, the instant the tempest of passion has passed, is as impossible as that one represented so noble and gentle as he should have publicly insulted her, "because it was the vengeance he had at hand" upon another woman.

Some unfavorable comment can obviously be made upon 'Roses of Shadow,' beginning with the fanciful ambiguity of the title, and going on to the broken and often interrupted plot; for the author, with the lavish hand of inexperience, starts off with three heroes, two heroines, and several side figures of consequence enough to play leading rôles for themselves. He has brought forward again the governess *rediviva*, slightly disguised as a sort of lady-help, but he is not able to justify to the mind of the reader the power she exerts over the three men. Charlotte Brontë could show it in Jane Eyre, or Becky Sharpe would be a better illustration, for Miss Gérard is a cold-blooded little fortune-hunter. Thackeray could give, so that the reader could see it, the charm that made men the worthless woman's slaves. The book as a whole is not equal to its parts, and the parts are worked out so unevenly as to fulness of detail as to make it at times a kind of Chinese perspective. Granting all these defects, the book is still very entertaining, and does not in the end leave the impression of sadness threatened by the Niagara episode. The style is at once easy and refined, conveying most happily that atmosphere of good breeding and polite society which is indispensable to the novel of manners, but which so many of them lamentably fail of. The descriptions have the pleasant quality of not too much, except perhaps the scenes at Niagara, and those are fine in themselves, only they over-weight the story. The bits of Boston are picturesque and original, and this last means the more that they come after both Mr. James and Mr. Howells. Of characters we find far more interesting than any of the leading personages an Italian artist and his New England wife, of an incongruity and a sympathy each equally delightful. The book unquestionably promises a future.

Under the title of 'Stories from Provence,' the Harpers have published a translation of Daudet's 'Lettres de mon Moulin.' To readers of French (beyond novels) they need no commendation, and they will find only new admirers in their present shape. Though of Daudet's earlier work, they are of a style and fashion upon which he has never since improved. They are unrivalled in grace, humor, and pathos, while now and then a light, swift gleam of satire crosses the page. The visit to the poet Mistral is the most important contribution to literature in the book, but there is enough to satisfy the most different tastes, from a pair of exquisite miniatures in "An Old Couple" to the brilliant dramatic effects in the streets of the Algerine Milianah. The English version is far above the average. Probably the translator would be the first to say that the innermost charm, the delicate perfection, is as impossible of reproduction as the fresh scent of the lavender out of which the curlews called around the old mill.

The two stories by Mrs. Oliphant which oddly ran parallel in the magazines last year—oddly because one is the sequel of the other—seem her least successful work, though she still surpasses all others of to-day in her own line. The difficulties of a marriage between persons of unequal rank, aggravated by innate peculiarities of temper, was not at the outset, so to speak, a happy subject. Mrs. Oliphant is at home only when she comes to the daughters of the house. The dutiful girl, loyal to her lonely father and yet yearning for the mother whom she cannot remember, makes the sort of portraiture in which Mrs. Oliphant is at her best.

'A Cardinal Sin' and 'Lester's Secret' are put together for the sake of a common quality, not because the central idea of each is the same. Each has a lost heir, and in each he or she comes to his own, by marriage, more or less unwitting, with the possible supplanter. Both are crowded with incidents of the usual sort—forgery, kidnapping, burglary, murder; and the thread of the plot is so cunningly and provokingly entangled that no one of the class to whom such stories are addressed will drop it unfinished. It is a class in intelligence and taste far above the readers of dime-novels, and yet almost as far below the class who demand in fiction the permanent elements of literature. The books of both writers have been enormously read. They are standards in their grade. This makes very important the trait for which we have brought them forward. They are very remarkable for their entire purity. This, of course, does not place them any higher in the literary scale, but it is a strong argument against the dangerous theory that novels cannot be made interesting and exciting enough for common people without the stimulants of appeal to passion. Hugh Conway has imagined, near the close of his book, a new situation which is so powerfully worked out as to be quite out of place in the stock scenes and incidents of the rest of the book. An old man, brought up in the faith that confession means forgiveness in this world and the next, deliberately determines to sacrifice his own soul for his son, exactly as he would have laid down his mortal life for his sake. Mr. Conway puts it strongly enough to silence for the moment doubts of probability, and it may be reckoned as a strong imaginative contribution to one side of the discussion of the old question: When is confession not a duty?

RECENT HANDBOOKS OF PHILOLOGY.

THE revolution in the methods of linguistic research which has characterized German science since the year 1876, has thus far found expression almost exclusively in scattered monographs, and in such special investigations of detail as offer little attraction to the uninitiated. The seeker even for mere outlines of information could until recently be referred only to the various important discussions which are to be found scattered through the pages of Kuhn's *Zeitschrift*, Osthoff and Brugmann's *Morphologische Untersuchungen*, Paul and Braune's *Beiträge*, the *Sitzungsberichte* of different learned bodies, and in the special works of men like Leskien, Osthoff, Brugmann, Schmidt, De Saussure, Hübschmann, Sievers, Paul, Kluge, and Bartholomae. The old

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standard handbooks are hopelessly obsolete. Papillon's 'Manual of Comparative Philology,' which has been much used in this country and England, never possessed any independent value, and is now worse than useless. Leo Meyer's 'Vergleichende Grammatik der griechischen und lateinischen Sprache' even in its second edition (1882) is, in point of method, a generation behind the times. Fick's 'Vergleichendes Wörterbuch der indogermanischen Sprachen' (3d edit. 1874-76) can be used only with extreme prudence, and the same must now be said even of the carefully prepared fifth edition of Curtius's Greek Etymology (1879). Vaniček's dictionaries are valuable solely for their bibliographical completeness. Corssen's 'Aussprache, Vocalismus, Betonung der lateinischen Sprache' (3d edit. 1868-70), by virtue of its admirable collections of material, will always remain a valuable compendium, but is confessedly unreliable in its explanations of the phenomena with which it deals.

It is with gratification, accordingly, that we notice of late a tendency to produce books of a summarizing character, which shall present in systematic form the results of the most recent investigations. The pioneer book of this sort was the well-known Greek grammar of Gustav Meyer (1880), which is to appear within the next few weeks in a second edition. Kluge's 'Etymologisches Wörterbuch der deutschen Sprache' (1st ed., 1883, price 10½ marks), of which the fourth edition is already in preparation, is abreast of the times and the best existing etymological dictionary of any language. In May of 1885 appeared the admirably succinct Greek Grammar of Brugmann (Freiburg in Baden) and Latin Grammar of Stolz (Innsbruck), both contained in the first volume of Iwan Müller's 'Handbuch der classischen Altertums-Wissenschaft' (price per volume, 11 marks). Next followed in October, 1885, from the pen of the Strassburg professor, Hübschmann, 'Das indogermanische Vocalsystem' (price 4½ marks), a book which, essentially based upon the results of the labors of Osthoff and Brugmann, presents in clear, well-ordered form the phenomena of the Indo-European ablaut as they are understood to-day. The entire material of word-form involved is cleverly arranged in six series (*ă-, ĕ-, ŏ-, ā-, ē-, ō- Reihen*), each of which admits of the four vowel-grades (*Stufen*); *e. g.*, *dhō-* in Gothic *dōms*, 'judgment,' *dhē-* in *τί-θη-μι*, *dhə-* in *θε-τός*, *dh-* in Sanskrit *da-dh-más*. The book presupposes no especial acquaintance with the subject, and with its fulness of illustrative material forms a most admirable handbook.

For the Germanic dialects the press of Niemeyer in Halle has been furnishing an excellent series of concise grammars from the pens of recognized authorities like Sievers, Paul, and Noreen. Now follows a supplementary series, the first volume of which, by Friedrich Kluge (Jena), 'Nominale Stammbildungslehre der altgermanischen Dialekte' (108 pp.), displays the same complete mastery of his material, the same judicious caution in pushing back among prehistoric formations, and the same marvellous compactness of statement, which characterize his etymological dictionary. A similar work for the Greek is much needed. An historical review of German syntax by Professor Behaghel (Basel) is to follow directly, and a 'Mittelenglische Grammatik,' by Kluge, is also in preparation, both to be published by Niemeyer.

Since general attention has been called to the great value of the inscriptions for an exact knowledge of the Greek dialects, a great variety of monographs upon the single dialects has appeared, all finding their point of departure in Ahrens's great work, 'De Graecae Linguae Dialectis,' now being reëdited by Richard Meister of Leipzig. For the Attic dialect as set forth in the inscriptions various valuable collections of material have been made by Wecklein, 'Curae Epigraphicae' (1869); Cauer in Curtius's 'Studien,' vol. viii, and Van Herwerden, 'Lapidum de Dialecto Attica Testimonia' (1880); but since the appearance of the 'Corpus Inscriptionum Atticarum' (Kirchhoff, Koehler, Dittenberger, 1873-83), no attempt has been made to summarize the entire material involved. We now have, however, in neat and compact form, a 'Grammatik der attischen Inschriften,' by Karl Meisterhans (Weidmannsche Buchhandlung, 1885; price 4 marks). The author, hitherto unknown to science, is now professor in the gymnasium at Solothurn (Soleure) in Switzerland, and the basis of his work was, as we understand, a doctor's thesis of the University of Zurich. This work, which covers syntax as well as word-form, will be of the highest value not alone to the linguist, but to the text-critic and classical philologian in general. Important will prove, among many other things, the fixing of doubtful points in orthography—*e. g.*, *ὀβολός* (not *ὀβελός*), but in derivatives *ὀβελίσκος, διωβελία*; *πεῖ, χεῖ* (names of letters), not *πῖ, χῖ*; *Ἐρχομενός*, but *Ὀρχομενός* only after 271 B. C.; *ἐμπόριον*, not *ἐμπορεῖον*; *ποεῖν, ποήσω, πόησις*, but before an *o*-sound *ποιῶν, ἱεροποιοί*, etc.; *ἕνεκα*, not *ἕνεκεν*. A few more or less important additions are suggested by Otto Reimann in the *Revue de Philologie*, ix. 169 ff.

So much we have. For that we are thankful. Meantime Brugmann is bringing to completion a 'Compendium der vergleichenden Sprachwissenschaft,' which will appear simultaneously in German and in English translation, and Osthoff is busied with the preparation of a much-needed Latin Etymological Dictionary. This unmistakable turn of the tide in the direction of completed works and systematic compendia will be welcomed by many a bewildered student and bookbuyer.

Physical Expression. Its Modes and Principles. By Francis Warner, M. D. D. Appleton & Co. 1886.

THE title of this book is somewhat vague, and so frequently is its style. The author either naturally lacks the art of literary grouping, or else he had not sufficiently reasoned out his subject to enable him to express his thoughts in clear, unmistakable language. Evidently he felt this himself, for he has appended to several of the chapters special summaries which are almost as long as the chapters themselves. Dr. Warner believes that motion, which has been so carefully and satisfactorily studied by the physical experimentalist, has not been sufficiently studied by the physiologist: "I think that movement in living beings is capable and worthy of detailed study. Following on these lines of thought, this work has been written, showing how largely the expression of vital functions may be described in terms of movement—and movement is capable of physical investigation." Expression, then, refers to the outward manifestation of any hidden force. What these vital and mental forces are the author does not attempt to investigate; and to remove all occasion for doubt he coins the special word "mentation," meaning "that physical action of the brain which is associated with the phenomena of mind." Why not the term "cerebration," commonly used in the same sense?

A distinction is made between direct and "empirical" expression. Thus, a pink flower on a geranium expresses the fact that the plant has a feeble constitution, not directly, because there is no direct causal relation between pink flowers and weak plants, but, empirically, because experience has shown us that pink-colored geraniums are found on plants whose leaves are highly colored and deficient in the chlorophyll which is essential to the plant's proper nutrition. The numerous illustrations and analogies drawn from plant life constitute one of the novel features of Dr. Warner's book, as compared with previous works on expression. And he constantly endeavors to give a practical turn to his conclusions. A useful lesson, for instance, is drawn from the analogy which children present to sensitive plants. Experiments described on page 114 show that the poorer the soil in which these plants are grown, the less robust but the more sensitive are they to the touch. Extreme sensitiveness in a child, therefore, expresses insufficient nutrition, and thus becomes a sign of value to the educator and doctor. Doctors, indeed, will be more likely than any other class of readers to reap profit from a perusal of Dr. Warner's book. The remarks made in several of the chapters are valuable as new and accurate descriptions of certain pathological states, especially epilepsy and chorea; and the remarks on and illustrations of the "nervous," the "feeble," and the "convulsive" hand, etc., in chapter ix, are a useful contribution to the study of postures. The curious fact is pointed out that the posture of the hands of the Venus de Médicis is exactly similar to the posture so often seen in nervous children.

Other matters of artistic interest are discussed in the last three chapters. In his analysis of the emotion of beauty, Dr. Warner falls into an old mistake of the Scotch school of philosophy. "A well-dissected anatomical preparation," he says, "may excite in one man the expression of the sense of beauty, but in another it may excite the expression of pain." The feeling excited by such a preparation is an *intellectual*, not an æsthetic emotion; and it is by not distinguishing these that so much confusion has been created by writers on "taste." On the other hand, in the chapter on expression in the eye, it is pointed out that the varying size of the pupil is a mode of expression, thus correcting the erroneous view, held by Magnus and others, that the eyeball itself is void of expression, the muscles surrounding it being alone responsible for the signs of emotion in that part of the countenance. The problem as to the relations between beauty and intellect is repeatedly alluded to, but no new light is thrown on it. Dr. Langdon Down's remark, concerning idiots, that "the prognosis is, contrary to what is so often thought, inversely as the child is comely, fair to look upon, and winsome," may find its explanation in the fact that such a child is apt to be more delicately organized and less robust than one of the opposite qualities.

That the common notion that a man who has just suffered some great disappointment makes "a long face" is not a mere figment of the imagination, is clearly shown on page 202. Dr. Warner has ascertained by accurate measurement that one side of a paralyzed face may be three-quarters of an inch longer than the other. "A relaxed condition of the facial muscles, allowing the face to fall and lengthen, is the outcome of feeble nerve-currents coming down from its nerve-centres. A long face may, then, indicate a weakened brain-force, and this often accompanies the mental condition following from a sudden disappointment. Another factor in producing a long face as a temporary condition is the falling of the lower jaw."

Studies of Family Life: A contribution to Social Science. By C. S. Devas. Catholic Publication Society. 1886.

THIS is a tract by a follower, one judges, of M. Le Play, in the interest of the rehabilitation of the family for philanthropic and religious ends. It falls, however, into two tolerably distinct parts: one learned and scholarly, in which the constitution of the family in Pagan civilization is broadly described, and the other expository of Catholic

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dogma and Protestant mischief, in which the Christian family is similarly treated. With the former, one is concerned only to observe that it is a capital summary of the legal or religious family rights and customs in China, in Roman law, in ancient Egypt, etc., and secondly that the author turns aside from his main purpose to offer several considerations in opposition to the theory that monogamy is developed out of communal marriage. To this point he argues with acumen and force, mainly by insisting that the phenomena thought to bear traces of communal marriage have been so massed as to give them an unjustifiable prominence and weight relatively to the whole body of the phenomena; and he further attempts to turn the flank of his opponents by suggesting eight or ten hypotheses other than that of an original community of wives, to explain the facts brought in evidence.

This elaborate study is made to bring out in its true relief the great boon to civilization of Christian, and especially Catholic, marriage, which is lucidly explained on the theological side; and as it was necessary for the author's purpose to show that later departures from Christian marriage, and that of Rome in particular, were instances of degeneration, both moral and social, the Mohammedan and Protestant family are finally considered. In this part Americans will find interest and entertainment, for the capital example of degeneration—next, perhaps, to that involved in the "civil" marriage of the irreligious French peasantry—is the home of the "north-eastern Americans," by which generally speaking is meant New England. For the descendants of the Puritans to see themselves as Mr. Devas sees them will not be a cause of pride. The worst of it is, that he has built up his idea of Massachusetts and Connecticut homes, to no inconsiderable degree, out of the mouths of those persons among us, mainly clergymen and scholars, who, in their vehement cry for reform in certain features of our life, have denounced with thoughtless generality and conscienceless rhetoric some of our institutions, notably the public schools. But even the most hardened reformer will stand aghast at a description of our public schools which presents them as a nursery of filial ingratitude and precocious vice—an intellectual and moral pest-breeder. That Mr. Devas, who appears to be a scholarly and rational man, though with a pronounced *Tendenz*, should be able to support, and superficially to ground, his characterization of a Massachusetts school on quotations and reports from native observers, should be a lesson in truthfulness and the moral responsibility of speech to some of our agitating reformers. How far he is from the facts, however, is illustrated by his speaking of Chicago as "morally in the Northeast, though physically in the West," and then lumping that city with Boston and referring to the awful turpitude of "young America" along the whole parallel. This Pompeian debauchery of our most cherished institution, however, is only one of the charges against our "after-Christian" civilization. The practice of divorce and the infertility of American women of the old stock, of course, complete the case, which has as a clincher the tendency of the law to view the wife as independent of, and in some respects hostile in interest to, the husband.

It is beside our purpose to argue against this view of the decadence of family life in "the Northeast." To some of the features insisted on by Mr. Devas we have continuously drawn attention, and we invite notice to his book now because, notwithstanding its painful or ludicrous exaggeration and fabrications, it is a serious discussion of serious matters. It is but fair to add, however, that the most universal and active cause of the loosening of family attachments here, namely, the settling of a vast extent of country in a brief time by a general migration of individuals, is not alluded to by the author; and in this cause there is no social or moral unsoundness. Upon this branch of the subject a whole chapter might be written. The conception of marriage as a civil instead of a religious union has much less to do with the matter than this, and in comparison sinks out of sight. Mr. Devas fails here because he has not taken into account the national conditions under which our institutions are working. In the other parts of his work he has better success and is worth attention.

Berlin som tysk Rigshovedstad. Erindringer fra et femaarigt Ophold. Med mange större og mindre Afbildninger. Af Dr. Georg Brandes. Copenhagen: P. G. Philipsens Forlag.

Doctor Georg Brandes is at present engaged upon a thorough revision of his great work, which appeared simultaneously in Danish and German, and of which the German title is 'Hauptströmungen der Literatur des neunzehnten Jahrhunderts.' This work, in five large octavo volumes, of which the last was published in 1882, describes the currents and forces predominating in the literature of England, France, and Germany from the beginning of the century down to the year 1848. It is not only remarkably comprehensive and exhaustive, but is at the same time enlivened by a style which has secured the author the enviable title of the Taine of the North, though the work differs widely in plan and scope from Taine's 'History of English Literature.' In 1877, Doctor Brandes, failing to secure the much-coveted prize of a professorship in the Danish University, and feeling keenly the force of the old saying that a prophet is not without honor save in his own country, retired into voluntary exile, and became domiciled in Berlin, where he remained five years. Here he continued his literary labors, and, being a perfect master of the German language, he also succeeded in finding abundant employment and appreciation of his rare talents as a public lecturer. Leading German magazines vied with each other in securing essays from his pen, and these were in due time gathered and published in book form. We are not writing a history of Brandes's literary life, but may note the fact as evidence of his remarkable industry and fertility that, although he is but forty-four years of age, his published works already number *twenty-one* volumes. Only one of these ('Benjamin Disraeli,' published by the Harpers in the Franklin Square Library) has, we believe, appeared in English, and it seems strange that no English or American publisher has been found for so conspicuous a contribution to the world's literature as his 'Hauptströmungen,' especially since the fourth volume treats exclusively of English literature in the first half of the present century, with Byron as the central figure in the group therein portrayed.

In the spring of 1883, Brandes's Danish friends invited him to return to his native city. The invitation was coupled with an offer of 4,000 *kroner* (about $1,000) a year for ten years, the money being raised by voluntary subscriptions, on condition that he should reside in Copenhagen and deliver a course of lectures on literature every autumn. The terms were accepted by Doctor Brandes, and each year when his lectures are delivered the rush to hear him is so great that standing room is not to be had, and although the same lecture is given two evenings in succession, still many fail to secure admittance.

The last work by Brandes reviewed in our columns was his 'Moderne Geister,' a series of sketches of eminent literary men of this century, among whom were John Stuart Mill, Paul Heyse, Ernest Renan, etc. Dr. Brandes had personally known the most of the characters portrayed, and his description of his intercourse with them is not the least fascinating element in that book. Since its publication in German, 'Moderne Geister' has appeared in a Danish dress, styled 'Mennesker og Vœrker i nyere europæisk Literatur' (Men and Works in Modern European Literature), though some of the persons sketched in the German have been omitted, and others added, in the Danish edition. Then followed a volume, 'Det moderne Gjennembruds Mænd' (The Representations of the Modern Revival in Scandinavian Literature). It contains pen portraits of Björnstjerne Björnson, Henrik Ibsen, I. P. Jacobsen, Holger Drachmann, Eduard Brandes (a younger brother of the author), Sophus Schandorph, and Erik Skram. These seven writers represent the new realistic tendency or school in modern Scandinavian letters, and in a spiritual sense they may all be called sons of Georg Brandes. Some of them are much older in years than Brandes, but it was he who first hoisted the realistic banner and founded in the north the so-called European school.

The founder of the Danish drama and of modern Danish literature is the Norwegian Ludvig Holberg, who was born in Bergen, Norway, December 3, 1684. The anniversary of the second centennial was celebrated throughout Scandinavia, but particularly in Bergen and in Copenhagen, with great enthusiasm. In connection with this event, Dr. Brandes published his 'Ludvig Holberg,' a handsome octavo volume of over 300 pages, which will always rank with his ablest productions. It gives us a most charming description of Holberg's youth, of his contemporaries, of his travels, of his character, of the sources of his literature, and of his struggles for existence. It is a model biography, showing a profound knowledge of the age in which Holberg lived and a thorough acquaintance with all his works. Holberg is frequently represented as having simply adapted Molière to the Danish stage; but Brandes meets this charge, and shows most skilfully and conclusively, from contemporaneous history and biography, that the characters represented in the comedies actually existed in Holberg's time in Denmark. Brandes also succeeds in demonstrating that Holberg was, contrary to what has generally been asserted, a friend of womankind. He produces passages from Holberg's works showing that he was far in advance of his time in regard to the question of woman's rights, and that he advocated her emancipation in a manner that would have delighted the heart of John Stuart Mill. The whole work abounds in new views and new suggestions, and expresses the old facts in a fresh and fascinating manner.

'Berlin som tysk Rigshovedstad' (Berlin as a German Metropolis) is a volume of 566 octavo pages, profusely illustrated, and contains the author's reminiscences of his five-years' residence in that city. About forty portraits of distinguished persons, and as many other pictures, adorn the work, which is written in the form of letters, the first dated July, 1868, when the author received his first impression of the city, and the last October 30, 1882, when he bade good-by to his Berlin friends and returned to Denmark. Brandes is a sort of "looker-on in Venice," and presents a bird's-eye view of life in the metropolis, discussing all manner of subjects—politics, art, religion, the markets, theatres, literature, science, museums, elections, society, Christmas festivities, music, and so on *ad infinitum*. In one letter he discusses the Socialists and the Socialist Law, in another the Emperor, in another types of German women; then we have epistles on Bismarck, on the Jews in Germany (Brandes is himself a Jew), on a ball at court, on the would-be assassin No-

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biling, on Russian atmosphere in Berlin, etc. Brandes looks upon the city, not with the eyes of a tourist, but rather with those of an adopted citizen. In other words, the book is more a discussion of the physiognomy and life of the city than an external description of its galleries, theatres, halls, churches, and dens. He has not visited Berlin for the purpose of describing it, but he has unconsciously become naturalized, and thus he writes his letters almost with the sympathy of a native. The intrinsic value of this work may not be very great. It is, as we have indicated, rambling and disjointed, but Brandes never fails to be interesting. He never fails to get at the vital point, and his fascinating style never forsakes him. For leisure-hour reading 'Berlin' is an admirable book.

Books and Bookmen. By Andrew Lang. George J. Coombes. 1886.

THESE agreeable essays—on Literary Forgeries, Curiosities of Parish Registers, The Bookmen at Rome, Bibliomania in France, etc., etc.—are mostly informal *précis* of books. Reviews they cannot be called, though many of them have appeared in reviews. They are the clever surface play of a mind stored with abundant and varied reading, and in them Mr. Lang's characteristic humor is mingled with and sometimes heightened by unexpected applications of his classical scholarship in particular. Collected and printed without his supervision or correction, their ephemeral quality has not been lessened, or their careless origin disguised, as when, in the chapter on Bibliomania in France, we are twice told in the course of four pages that Bossuet detested Molière. Nor will posterity, without a commentary, comprehend Mr. Lang's sly allusions to passing events like that in the story of the future Pope Innocent X.'s pilfering: "'What a shame that such a man should have such a book,' said Pamphilio to himself, and proceeded to make his frontier more scientific by slipping the history under his *soutane*." However, posterity has not yet arrived on the scene, and there is certainly a present charm in Mr. Lang's "unmethodic *causerie*," as he calls it, and irrelevant chat as we must sometimes pronounce it when it wanders so far from the immediate title and pretext as it does in the paper on Bookbindings. And quite enjoyable are the ballades "of the Real and the Ideal" and "of the Unattainable," which usher in and close the collection of essays.

The publisher has striven to make a pretty book, and has succeeded fairly well with the aid of the Riverside Press and by dint of numerous illustrations—two bindings reproduced in color; title-pages and printers' emblems in the chapter on Elzevirs; and specimen ghosts in the discourse on Japanese Bogie-books. The initials, head and tailpieces, etc., however, being "process" copies of pen-work, are out of key with the excellent typography, as is usually the case.

Curiosities of the Old Lottery. No. 1 of the Olden Time Series: Gleanings chiefly from old newspapers of Boston and Salem, Mass. By Henry M. Brooks. Boston: Ticknor & Co.

AN hour or less may be spent very pleasantly over this little volume, in which we should criticise chiefly a certain disorder, or rather avoidance of natural arrangement and juxtaposition, in the selections. Thus, the paragraph at the head of page 29 should have occupied the same place on page 26, and that at the head of page 31 should rather have concluded page 41—the topics in both cases being identical. Mr. Brooks makes 1826 the approximate date at which lotteries began to be prohibited in Massachusetts by law; but long before that, as he shows, the public conscience was uneasy on the subject. A genuine "Friend to Religion" inquired through the *Columbian Centinel*, in 1791, whether the General Court of Massachusetts might not "grant a Lottery for the purpose of supplying every person in the eastern part of the Commonwealth with a Bible, who is unable to purchase one, and for the pay of a missionary." This was hardly satirical, considering how often the advancement of religion and of education was adduced as a motive for investing in lotteries, as well as for passing the acts which established them. Churches, schools, and colleges resorted to this means of raising the wind. The laudable "disposition of Government to foster our infant manufactures" was likewise manifested in 1791, but lotteries became a clumsy instrumentality after the protective system had been forced upon New England and the country by the South in 1824, and they disappeared almost simultaneously, as we have noticed above. It is painful to infer in 1760-62 an "unfriendliness" in the public mind towards gold. The managers went as far as they dared to the rescue of the debtor class in announcing that "Gold as well as Silver will be received for Tickets, and the Prizes paid off accordingly." Their considerateness was further shown in devices for turning blanks into prizes. Dartmouth College in 1796 offered, among others, four prizes of $500 each, one to be "placed to the first drawn blank, and the other three to the three last drawn blanks." Harvard improved on this in 1811, and distributed from $20,000 to $50,000 to the "adventurers" who drew blanks. Failure to call for one's prize was taken to argue a large-hearted benevolence, and the money was swept into the net earnings. Due publicity was given to the good fortune of servant girls, apprentices, and Africans, sometimes with the simple comment that "it has excited a smile in the cheek of poverty, nor diminished the pleasure of those in easy circumstances"; but sometimes with a devout poem, like that on the "Castalian Fount," inspired by the prize of $1,500 being drawn by the poor widows of Marblehead, and "written there" in 1790.

Mr. Brooks has added much to the intrinsic quaintness of his text by reproducing the old advertising cuts, tail-pieces, bands, etc.

Geschichte der Jüdischen Literatur. Von Gustav Karpeles. Berlin. 1886. New York: Westermann.

THIS book fills a gap in general literature, and does it very creditably. It is comprehensive, yet free from all bibliographic pedantry; popularly attractive by its form and diction, and yet abounding in information and reflections valuable to the learned. In six sections, it offers a grand view of all Jewish literature—Biblical, Hellenistic, Talmudical, Arabo-Iberian, Rabbinical, and modern. The historical background and environments are clearly, and often strikingly, illumined at every period in special introductory chapters. The poetical portions of the literature are reflected in ably though freely translated fragments. The grouping of facts and observations is very skilfully carried out, and nothing is neglected that is calculated to cast a pleasant light upon the vast, complicated, and to most readers little known subject. But in this very rich anthological illustration and bright illumination lies also the weakness of the work. The author sins by an excess of enthusiasm for his subject, which he evidently feels, and by excessive efforts to communicate it to his readers. He has composed a glowing epopee of the Jewish mind, viewed in its original national creations, its varied adaptations and endless struggles. The shadowy sides of its development and its aberrations are but gently touched upon, or apologetically extenuated. Its thorny path across the long centuries of persecution and darkness appears strewn with roses. Severe criticism is exercised only where—as in the case of the scandalous forgeries practised by Jewish writers of Alexandria under the Ptolemies—no decent excuse can be found in hostile external pressure. In Biblical matters preference is generally given to critical views not characterized by radical destructiveness. The author indulges freely in extracts from other writers, duly furnished with quotation marks, but without the mention of a name or a title. The book is entirely without references or notes, and offers throughout a smooth and handsome appearance. To readers unfamiliar with works like those of Zunz, Jost, Sachs, Geiger, Graetz, or Derembourg, it will be a mine of curious information. To anti-Semites it will be shocking.

North Borneo: Explorations and Adventures on the Equator. By the late Frank Hatton. With biographical sketch and notes by Joseph Hatton. Illustrated. London: S. Low. 1885. Pp. xiv, 342, 8vo.

THE story of Frank Hatton's short life is quickly told. Born in 1861, he very early showed evidence of fondness for scientific studies, which his father, the well-known author, wisely encouraged by sending him to the Royal School of Mines in London. Here his ability was so marked that the British North Borneo Company sent him, though but a lad of twenty, as its mineral explorer to Borneo. He entered upon his duties with enthusiasm, and during the next fifteen months made various journeys along the coast and into the interior, searching—with but indifferent success, it must be said—for evidences of the mineral wealth which the country was supposed to contain. In these expeditions, which led him into regions previously unvisited by Europeans, and inhabited by tribes of inveterate head-hunters, he showed great courage and tact in dealing with the natives, and gave promise of making a name as an explorer. Unfortunately, he accidentally shot himself while returning from one of these expeditions, and died March 1, 1883. Among his effects were found diaries and memoranda of his various explorations, which he had intended to use in writing an account of the country. These form the second part of this volume, the first being a biographical sketch by his father.

As Frank Hatton was a good observer and had some literary skill, these fragmentary records have much in them of interest. They do not give a very favorable impression of England's new possessions, although they are doubtless valuable from a strategical point of view, being on the high road, as it were, between China and Australia. Its mineral wealth is apparently small, and the country is so thinly inhabited that it will probably be long before any large gains can be made from the agricultural products. In fact, one of the chief difficulties with which a traveller in the interior has to contend is a scarcity of food. The superstitions of the natives also proved at times insurmountable obstacles. The Dusuns attribute "anything, whether good or bad, lucky or unlucky, that happens to them, to something novel which has arrived in their country. For instance, my living in Kinoram has caused the intensely hot weather we have experienced of late." A chief objected to his passing through his country because "I took heat; and Gensalong did not want either heat or me." Several times he was made a "blood-brother" of the natives, in each case with different rites, though the killing of a cock was common to them all except the Bendowen Dusuns. Their peculiar ceremonial began with the assembling of the whole tribe in the jungle,

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which was cleared for about twenty yards, and, a hole being dug a foot deep, a large water jar was placed in it.

"The clay taken out to make the hole was thrown into the jar, and now the 'old men' commenced declaiming, 'Oh, Kinarringan, hear us!' —a loud shout to the Kinarringan. The sound echoed away down the valleys, and as it died a stone was placed near the jar. Then for half an hour the old man declared by fire (which was represented by a burning stick), by water (which was brought in a bamboo and poured into the jar), and by earth, that they would be true to all white men. A sumpitan [blow-gun] was then fetched, and an arrow shot into the air to summon the Kinarringan. We now placed our four guns on the mouth of the jar, and each put a hand in and took a little clay out, and put it away. Finally several volleys were shot over the place, and the ceremony terminated."

A curious method of cultivating rice is by sowing the seed on rafts which are covered with earth and anchored in a river, "where they are kept moist. Very quickly the rafts become green floating islands. Then the women transplant the grain" into ground which has been prepared for it. The custom of head-hunting seems to be gradually dying out, though still practised to some extent in the interior. Mr. Hatton seems to have been as unsuccessful as previous travellers in discovering the secret method by which the natives forge their finely-tempered sword blades, which are often beautifully inlaid with brass.

The illustrations add much to the interest of this work, and an admirable map shows Mr. Hatton's journeys very clearly, and is also an evidence of how much has been accomplished in the exploration of the country belonging to the British North Borneo Company.

BOOKS OF THE WEEK.

Anderson, J. Scotland in Pagan Times. Edinburgh: David Douglas.
Bancroft, H. H. History of the Pacific States of North America. California, Vol. IV. San Francisco: A. L. Bancroft & Co.
Blind, M. Madame Roland. Boston: Roberts Brothers. $1.
Bosboom-Toussaint, A. L. G. Major Frank. Harper & Brothers. 20 cents.
Brooks, H. M. Days of the Spinning Wheel in New England. Boston: Ticknor & Co. 50 cents.
Burnham, Clara L. Next Door. Boston: Ticknor & Co.
Burroughs, John. Signs and Seasons. Houghton, Mifflin & Co. $1.50.
Carnegie, A. Triumphant Democracy: or, Fifty Years' March of the Republic. Charles Scribner's Sons.
Chesneau, E. The Education of the Artist. Cassell & Co. $2.
Curtius, G. Principles of Greek Etymology. 5th ed. Translated by A. S. Wilkins and E. B. England. London: John Murray.
Dagonet the Jester: A Novel. Macmillan & Co. $1.25.
Dahlgren, Madeleine V. The Lost Name. Boston: Ticknor & Co. $1.
Don't: Directions for Avoiding Improprieties in Conduct and Common Errors of Speech. D. Appleton & Co.
Earl of Suffolk and Berkshire, W. G. Craven, and Others. Racing and Steeple Chasing. The Badminton Library. Boston: Little, Brown & Co.
Exposition Internationale de Blanc et Noir. 1886. Catalogue Illustré. F. W. Christern.
Farrar, Capt. C. A. J. Down the West Branch. Boston: Lee & Shepard. $1.25.
Goncourt, E. et J. de. Pages retrouvées. Boston: Schoenhof.
Grant, H. Exercises for the Improvement of the Senses for Young Children. Am. ed. Boston: Lee & Shepard. 50 cents.
Haggard, H. R. King Solomon's Mines. Cassell & Co. 25 cents.
Hammond, W. A., and Lanza, Clara. Tales of Eccentric Life. D. Appleton & Co. 25 cents.
Harrison, F. The Choice of Books. Harper & Brothers. 25 cents.
Hawels, Rev. H. R. The Key of Doctrine and Practice. Charles T. Dillingham. 25 cents.
Holmes, N. The Authorship of Shakspere. New ed. 2 vols. Boston: Houghton, Mifflin & Co. $4.
Hunnewell, J. F. The Imperial Island: England's Chronicle in Stone. Boston: Ticknor & Co. $4.
Jackson, Helen, Glimpses of Three Coasts. Boston: Roberts Brothers. $1.50.
Johnson, M. W. How to Plant. Orange Judd Co.
Katscher, L. Aus England: Bilder und Skizzen. Leipzig: P. Reclam, jr.
Katscher, L. Bilder aus dem englischen Leben. Leipzig: W. Friedrich.
Katscher, L. Nebelland und Themsestrand: Studien und Schilderungen aus der Heimat John Bull's. Stuttgart: G. J. Göschen.
Lang, A. The Mark of Cain. Charles Scribner's Sons. 25 cents.
Le Pileur, A. Wonders of the Human Body. Charles Scribner's Sons. $1.
Livet, C. L. Portraits du grand siècle. Boston: Schoenhof.
Lubbock, Sir J. Flowers, Fruits, and Leaves. Macmillan & Co. $1.25.
Macleod, H. D. Elements of Economics. Vol. II. Part 1. D. Appleton & Co.
Manteuffel, U. Z. von. Violetta: A Romance. J. B. Lippincott Co. $1.25.
Martin, R. B. Hog-Raising and Pork-Making. O. Judd Co.
Masson, G. Les Femmes Savantes, by Molière. Cinna, by Corneille. Edited with Notes, Glossary, etc. Oxford: Clarendon Press; New York: Thomas Nelson & Sons. 2 vols.
McCarthy, J. H. Doom! An Atlantic Episode. Harper & Brothers. 25 cents.
Meredith, G. Adventures of Harry Richmond. Boston: Roberts Brothers. $2.
Miller, A. P. Consolation, and Other Poems. Brentano Bros.
The Record: A Poem Illustrating the Philosophy of Life. John W. Lovell Co. $1.25.
The Wealth of Households. Oxford: Clarendon Press; New York: Thomas Nelson & Sons.
Tomlinson, E. T. Selections from Latin Authors for Sight Reading. Boston: Ginn & Co. $1.10.
Vadier, Berthe. Henri-Frédéric Amiel: Étude biographique. Boston: Schoenhof.
Waites, A. Forgotton Meanings: or, An Hour with a Dictionary. Boston: Lee & Shepard. 50 cents.
Webb, J. Cape Cod Cranberries. O. Judd Co.
Whedon's Commentary on the Old Testament. Isaiah-Jeremiah. Phillips & Hunt. $2.25.
Whittier, J. G. Saint Gregory's Guest, and Recent Poems. Houghton, Mifflin & Co. $1.

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